

PB# 98-19

ABC LEARNING CENTER

40-3-37

98 - 19

A.B.C. Learning Center
Quassaick Ave. (Olson)

Approved 8/26/98

Wilson Jones - Carbonless - 51654-NCR Duplicate - 51657N-CR, Tropicana

Wilson Jones, 1989

DATE June 19, 1998 RECEIPT NUMBER 98-19
 RECEIVED FROM Heads, Hands, & Hearts, Inc.
 Address 271 Quassaick Ave. - New Windsor, N.Y. 12553
Seven Hundred Fifty 00/100 DOLLARS \$750.00
 FOR Site Plan Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	750	-	CASH		
AMOUNT PAID	750	-	CHECK	#1338	
BALANCE DUE	-0	-	MONEY ORDER		

BY [Signature]
Theresa Mason

Wilson Jones - Carbonless - 51654-NCR Duplicate - 51657N-CR, Tropicana

Wilson Jones, 1989

DATE June 19, 1998 RECEIPT NUMBER 297832
 RECEIVED FROM Heads, Hands and Heart, Inc.
 Address One Hundred and 00/100 DOLLARS \$100.00
 FOR Planning Board Application Fee
#98-19

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	1337	
AMOUNT PAID			CHECK	100.00	
BALANCE DUE			MONEY ORDER		

BY Town Clerk
Dorothy H. Mason

Wilson Jones - Carbonless - 51654-NCR Duplicate - 51657N-CR, Tropicana

Wilson Jones, 1989

DATE July 1, 1998 RECEIPT NUMBER 297870
 RECEIVED FROM Heads, Hands & Hearts, Inc.
 Address Two Hundred and 00/100 DOLLARS \$200.00
 FOR P/B Permit Application Fee (#98-19)

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	1338	
AMOUNT PAID			CHECK	200.00	
BALANCE DUE			MONEY ORDER		

BY Town Clerk
Dorothy H. Mason

51654-NCR Duplicate - 51657N-CR, Tropicana

DATE August 24, 1998 RECEIPT NUMBER 065522
 RECEIVED FROM Heads, Hands & Hearts
 Address BHA ARC Learning Center
One Hundred and 00/100 DOLLARS \$100.00
 FOR P/B #98-19 Application Fee

Wilson Jones
© Wilson Jones, 1989

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 -	CASH	
AMOUNT PAID	750 -	CHECK	#1338
BALANCE DUE	-0 -	MONEY ORDER	

BY *Myra Mason*

Wilson Jones • Carbonless • S1654-NCR Duplicate • S1657N-CL Triplicate
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DATE June 19, 1998 RECEIPT 297832
RECEIVED FROM Heads, Hands and Hearts, Inc.
Address One Hundred and 100⁰⁰ - DOLLARS \$ 100.00
FOR Planning Board Application Fee #98-19

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	1337
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk
BY *Dorothy H. Mason*

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DATE July 1, 1998 RECEIPT 297870
RECEIVED FROM Heads, Hands and Hearts, Inc.
Address Two Hundred and 100⁰⁰ - DOLLARS \$ 200.00
FOR P/B Permit Application Fee (#98-19)

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	200.00
AMOUNT PAID		CHECK	200.00
BALANCE DUE		MONEY ORDER	

Town Clerk
BY *Dorothy H. Mason*

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DATE August 24, 1998 RECEIPT 065522
RECEIVED FROM Heads, Hands and Hearts
Address DBA ABC Learning Center
One Hundred and 100⁰⁰ - DOLLARS \$ 100.00
FOR P/B #98-19 Approval Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	146.7
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk
BY *Dorothy H. Mason*

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DATE August 24, 1998 RECEIPT 98-19 NUMBER
RECEIVED FROM Heads, Hands and Hearts, Inc.
Address 271 Quassaick Ave - New Windsor, N.Y.
One Hundred Eighty-Three 20⁰⁰ - DOLLARS \$ 183.20
FOR 2% of Cost Estimate - Inspection fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	183.20	CASH	
AMOUNT PAID	183.20	CHECK	#1468
BALANCE DUE	-0 -	MONEY ORDER	

BY *Myra Mason, Secretary*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/27/98

PAGE: 1

LISTING OF PLANNING BOARD **ACTIONS**

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-19

NAME: ADDITION AND ALTERATIONS TO ABC LEARNING CENTER
APPLICANT: OLSON, MARK, SEN. ASSOC., BERG AND ASSOCIAT

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/26/98	PLANS STAMPED	APPROVED
08/05/98	WORK SESSION APPEARANCE . NEED COST ESTIMATE -	PLAN OK TO STAMP LIGHTING AND LANDSCAPE PLAN OK
07/22/98	P.B. APPEARANCE - PUB. HEAR . NEED NATURAL BARRIER BETWEEN PROPERTIES . SUBJECT TO MARK'S APPROVAL OF LIGHTING AND LANDSCAPING	ND: APPR. COND
07/08/98	P.B. APPEARANCE . SEPARATE FILES TO BE KEPT FOR TEMPORARY SITE & PERMANENT . SITE. (FEES TO BE WAIVED ON PERMANENT CONST. FILE)	LA: SCHED. PH
07/01/98	WORK SESSION APPEARANCE	REVISE
06/24/98	P.B. APPEARANCE	RET. TO W.S.
06/17/98	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/27/98

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-19

NAME: ADDITION AND ALTERATIONS TO ABC LEARNING CENTER
APPLICANT: OLSON, MARK, SEN. ASSOC., BERG AND ASSOCIAT

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/19/98	EAF SUBMITTED	06/19/98	WITH APPLICATION
ORIG	06/19/98	CIRCULATE TO INVOLVED AGENCIES . TOOK LEAD AGENCY ON TEMPORARY SITE & PERMANENT SITE	07/08/98	TOOK LEAD AGENCY
ORIG	06/19/98	LEAD AGENCY DECLARED	/ /	
ORIG	06/19/98	DECLARATION (POS/NEG)	07/22/98	DECL. NEG. DEC.
ORIG	06/19/98	PUBLIC HEARING . P.H. SCHEDULED FOR 7/22/98	07/08/98	SCHEDULE PH
ORIG	06/19/98	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/22/98

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 98-19

NAME: ADDITION AND ALTERATIONS TO ABC LEARNING CENTER
APPLICANT: OLSON, MARK, SEN. ASSOC., BERG AND ASSOCIAT

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	07/02/98	MUNICIPAL HIGHWAY	07/07/98	APPROVED
REV1	07/02/98	MUNICIPAL WATER	07/07/98	APPROVED
REV1	07/02/98	MUNICIPAL SEWER	/ /	
REV1	07/02/98	MUNICIPAL FIRE	07/07/98	TEMP. APPR.
		. TEMPORARY MODULARS ARE ACCEPTABLE		
		. PERMANENT STRUCTURE NEEDS FURTHER REVIEW AS PER REVIEW SHEET		
		. IN FILE		
ORIG	06/19/98	MUNICIPAL HIGHWAY	06/22/98	APPROVED
ORIG	06/19/98	MUNICIPAL WATER	06/22/98	APPROVED
ORIG	06/19/98	MUNICIPAL SEWER	07/02/98	SUPERSEDED BY REV1
ORIG	06/19/98	MUNICIPAL FIRE	06/23/98	DISAPPROVED
		. PLAN IS NOT STAMPED BY LICENSED ENGINEER OR SURVEYOR		

ESCROW

FOR PROJECT NUMBER: 98-19

NAME: ADDITION AND ALTERATIONS TO ABC LEARNING CENTER
 APPLICANT: OLSON, MARK, SEN. ASSOC., BERG AND ASSOCIAT

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/19/98	REC. CK. #1338	PAID		750.00	
06/24/98	P.B. ATTY. FEE	CHG	35.00		
06/24/98	P.B. MINUTES	CHG	54.00		
07/08/98	P.B. ATTY. FEE	CHG	35.00		
07/08/98	P.B. MINUTES	CHG	67.50		
07/22/98	P.B. ATTY. FEE	CHG	35.00		
07/22/98	P.B. MINUTES	CHG	153.00		
08/18/98	P.B. ENGINEER FEE	CHG	418.00		
08/24/98	REC. CK. #1469	PAID		47.50	
TOTAL:			797.50	797.50	0.00

HERO AND ASSOCIATES
PO BOX 499
21 SOUTH STREET
WASHINGTONVILLE, NY 10992
914-496-9125

facsimile transmittal

To: Mark Edsall, PE Fax: 914-562-1413

From: Mark S Olson, R.A., A.I.A. Date: 08/17/98

Re: ABC Learning Center Pages: 1

CC:

☒ Urgent ☐ For Review ☒ Please Comment ☒ Please Reply ☐ Please Recycle

Notes: Per your request at the Workshop yesterday I am forwarding the quantities for your insertion of the unit costs.

Sub-Base (6" min.):	Quantity – $8706.07\text{sf} \div 27 = 967\text{ sy}$	unit cost = \$ 5.00/sy
		Total cost = \$ 4835.00
Binder (3" min.):	Quantity – $3424.15\text{sf} \div 27 = 380\text{ sy}$	unit cost = \$ 10.00 sy
		Total cost = \$ 3800.00
Concrete (4"):	Quantity – $132.5\text{sf} \div 27 = 15\text{sy}$	unit cost = \$ 35.00/sy
		Total Cost = \$ 525.00

Project total \$ 9160.00

Insp. Fee 2% \$ 183.20

CONFIDENTIAL



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

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(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

MEMORANDUM
17 August 1998

TO: MYRA MASON, P.B. SECRETARY

FROM: MARK J. EDSALL, P.E., P.B. ENGINEER

SUBJECT: ABC LEARNING TEMP SITE PLAN (P/B APP. 98-19)

We previously reviewed the plan for this application at the worksession and it was acceptable. I have reviewed the cost estimate associated with the subject application. The estimate, as attached, is acceptable.

Also attached is a copy of our final billing for the project review.

Contact me if you have any questions.

MJE/st
doc:myra8.17



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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Milford, Pennsylvania 18337
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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 98-19
WORK SESSION DATE: 5 Aug 98 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED:
PROJECT NAME: Tenp S/P ABC
PROJECT STATUS: NEW OLD X
REPRESENTATIVE PRESENT: Mark Olsen
MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 2 exits per modular
- Tenp use cond app'd subject to sign
- lighting and landscaping OK
- OK to stamp
- need cost estimate

4MJ91 pbwsform

8/18/98
98-18

SITE PLAN FEES - TOWN OF NEW WINDSOR
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

* * * * *

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ X

MULTI-FAMILY SITE PLANS:

 UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS).....\$ X

 UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ X

TOTAL ESCROW PAID:.....\$ X

* * * * *

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00 ①

PLAN REVIEW FEE (MULTI-FAMILY): A. ~~\$100.00~~
PLUS \$25.00/UNIT B.

TOTAL OF A & B: \$

RECREATION FEE: (MULTI-FAMILY)

\$500.00 PER UNIT

 @ \$500.00 EA. EQUALS: \$ X
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 9160.00

2% OF COST ESTIMATE \$ EQUALS \$ 183.20 ②

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: 797.50

RETURN TO APPLICANT: \$

ADDITIONAL DUE: \$ 47.50 ③

AUG-10-1998 14:00

MC GEEY, HAUSER&EDSALL

914 562 1413 P.02/02

BERG AND ASSOCIATES
PO BOX 499
91 MCN. 7TH STREET
WASHINGTON VILL, NY 10992
914-466-9123

facsimile transmittal

To: Mark Edmell, PF Fax: 914-562-1413
From: Mark S Olson, R.A., A.I.A. Date: 08/06/98
Re: ABC Learning Center Pages: 1
CC:
☒ Urgent ☐ For Review ☒ Please Comment ☒ Please Reply ☐ Please Recycle

Re: As per your request at the Workshop yesterday I am forwarding the quantities for your

estimation of the work costs

Sub-Base: Quantity - 8706 U.S. x 3in. = 2176 52cf = 80 61cy
6-8" min
967 SY @ \$5/SY = \$4835
Unit cost = \$
Total cost = \$
Binder: Quantity - 1424.15cf x 2in. = 370 49cf = 21 14cy
2k-3" min
380 SY @ \$10/SY = 3800
Unit cost = \$
Total cost = \$
Concrete: Quantity - 112.5cf x 4in. = 44.17cf = 1.64cy
15 SY @ 35/SY = 525
Unit cost = \$
Total Cost = \$
\$9160

MARK OLSON 8/10/98
[Signature]

insp fee 2% \$183.20

TOTAL P.01
TOTAL P.02

TOTAL P.01

BERG & ASSOCIATES

21 South Street

PO Box 499

Washingtonville, NY 10992

914-496-9125

facsimile transmittal

To: Myra Mason Fax: 914-563-4693
 From: Mark S Olson, RA Date: 08/12/98
 Re: ABC Learning Center Pages: 2
 CC:

☒ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

Myra

Per your request I have attached the sheet which I had sent Mark Edsall for his comments. He faxed it back as it appears with a \$183.20 Inspection fee indicated.

Please let me know of any further information or remittance necessary at your earliest convenience, it is essential we get started as soon as possible.

Thank you in advance for your prompt attention to this matter

Sincerely,

Harvey Allen Berg and Associates

Mark S Olson, RA

Principal

AS (I) : 08/17/98

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 98- 19

FOR WORK DONE PRIOR TO: 08/17/98

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	DOLLARS-----		
									EXP.	BILLED	BALANCE
98-19	127401	02/19/98	TIME	MJE	WS ABC LEARNING	75.00	0.50	37.50			
98-19	136774	05/03/98	TIME	MJE	WS ABC LEARNING	75.00	0.40	30.00			
98-19	138012	06/17/98	TIME	MJE	WS ABC LEARNING S/P	75.00	0.40	30.00			
98-19	138974	06/23/98	TIME	MJE	MC ABC LEARNING S/P	75.00	0.50	37.50			
98-19	138480	06/24/98	TIME	MCK	CI ABC LEARNING RVW COM	28.00	0.50	14.00			
98-19	139248	07/01/98	TIME	MJE	WS ABC LEARNING	75.00	0.50	37.50			
98-19	141213	07/06/98	TIME	MJE	MC ABC LEARNING W/11	75.00	0.40	30.00			
98-19	139771	07/07/98	TIME	SAS	CL ABC LEARNING	28.00	0.50	14.00			
98-19	141217	07/07/98	TIME	MJE	MC ABC	75.00	0.50	37.50			
98-19	139594	07/08/98	TIME	MJE	MM ABC DISAPP > ZBA	75.00	0.10	7.50			
								275.50			
98-19	139701	07/13/98	BILL 98-793 7/15/98						156.50		
									-156.50		
98-19	142179	08/05/98	TIME	MJE	MC ABC LEARNING TEMP	75.00	0.40	30.00			
98-19	142187	08/07/98	TIME	MJE	MC ABC COST EST	75.00	0.50	37.50			
98-19	142564	08/10/98	TIME	MJE	MC ABC Learn bond est	75.00	0.50	37.50			
98-19	142567	08/17/98	TIME	MJE	MC Final plan & memo	75.00	0.50	37.50			
								142.50			
98-19	142005	08/10/98	BILL 98-898 8/10/98						119.00		
									-119.00		
TASK TOTAL								418.00	0.00	275.50	142.50
GRAND TOTAL								418.00	0.00	275.50	142.50

PUBLIC HEARING
RESULTS OF P.B. MEETING OF:

PROJECT: ABC Learning Center

P.B.# 98-19

LEAD AGENCY:

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y__ N__
2. **TAKE LEAD AGENCY:** Y__ N__

M) S) VOTE: A N
CARRIED: YES NO

M) S) VOTE: A N
CARRIED: YES NO

WAIVE PUBLIC HEARING: M) S) VOTE: A N WAIVED: Y N

SCHEDULE P.H. Y N

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPROVED CONDITIONALLY: 7/22/98

NEED NEW PLANS: Y N

*Subject to Mike's approval
of Lighting & Landscaping*

DISCUSSION/APPROVAL CONDITIONS:

<i>They require a natural barrier between properties</i>
<i>May consider reversing exit & entrance flow</i>
<i>Check if there is a state law re: Exit from bus</i>
<i>Public Hearing Closed.</i>
<i>Not lighting plan for permanent site</i>
<i>Must go to D.O.T. for permanent site</i>

State law re: on temporary plan for buffer.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

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- ☐ **Regional Office**
507 Broad Street
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e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**



REVIEW NAME: ABC LEARNING CENTER SITE PLAN
(TEMPORARY AND PERMANENT)

PROJECT LOCATION: QUASSAICK AVENUE (NYS ROUTE 94)
SECTION 40 - BLOCK 3 - LOT 37

PROJECT NUMBER: 98-19

DATE: 8 JULY 1998

DESCRIPTION: THE APPLICATION INVOLVES BOTH AN INTERIM
(TEMPORARY) SITE PLAN APPROVAL WITH MODULAR
CLASSROOMS, AS WELL AS PROPOSED PERMANENT
IMPROVEMENTS TO THE SITE. THE PLAN WAS
PREVIOUSLY REVIEWED AT THE 24 JUNE 1998 PLANNING
BOARD MEETING.

1. The project is located within the neighborhood commercial (N) zoning district of the Town. The private school use is the Special Permit Use B-6, and the temporary trailer use is Special Permit Use B-4.
2. Relative to the temporary use, the Planning Board must hold a Public Hearing for the trailer Special Permit Use. Based on a review of the Bulk requirements, no Variances would appear necessary for the temporary use. Comments regarding the temporary site are as follows:
 - a. The single handicapped space on the left side of the property has inadequate dimensions. The full depth of the stall plus aisle should be minimum 44'. As well, the striped handicapped access lane must be 8' width. This should be corrected.
 - b. All three modular buildings are now proposed as temporary. Not withstanding same, the Board discussed screening at the previous meeting. The Board should determine if temporary screening should be provided with the temporary buildings.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: ABC LEARNING CENTER SITE PLAN
(TEMPORARY AND PERMANENT)
PROJECT LOCATION: QUASSAICK AVENUE (NYS ROUTE 94)
SECTION 40 - BLOCK 3 - LOT 37
PROJECT NUMBER: 98-19
DATE: 8 JULY 1998

Page Two

- c. The Applicant should understand that all the site improvements noted hereon must be completed prior to C of O's for the temporary modular buildings.
- 3. With regard to the permanent Site Plan, the first appropriate step would appear to be a referral to the Zoning Board of Appeals for a site development coverage Variance. If the Applicant is successful in obtaining same, the following item should be addressed prior to return to the Planning Board:
 - a. The left side parking lot depth (space plus aisle) is inadequate. A minimum 44' dimension is required.
 - b. The plan should include proper handicapped signs and striping.
 - c. If not already installed, the plan should include proper one-way directional traffic signs for this proposed one-way driveway loop.
 - d. For the typical paving section, it is recommended that a tack coat be applied to the existing pavement prior to the top course overlay.
 - e. The Applicant should be aware of the significant State building code concerns identified by the Fire Inspector in his memorandum of review for this project.
 - f. Upon the Applicant returning to the Planning Board for this application, a Public Hearing will be necessary for the modification of this Special Permit Use.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: ABC LEARNING CENTER SITE PLAN
(TEMPORARY AND PERMANENT)
PROJECT LOCATION: QUASSAICK AVENUE (NYS ROUTE 94)
SECTION 40 - BLOCK 3 - LOT 37
PROJECT NUMBER: 98-19
DATE: 8 JULY 1998

Page Three

4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEsH

A:..abc.sh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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(914) 562-8640

☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF NEW WINDSOR

P/B # 98-19

WORK SESSION DATE: 1 JULY '98

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: No

REQUIRED: Revised plans

PROJECT NAME: ASC Learning-

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Mark Olsen

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- note that modulars go before % issued on ^{perm} imp.
- show on temp plan Or in rear side
- for perm s/p show both Or @ front
- AS for 1/11 for spec permit 7/12 or 8/12
- Referral to ZBA for Dmnt Cys. 7/8 mtg.
- P/B landscaping? light tower?
- add variance amt.

(A)

(ZBA ref for permanent)

4MJ91 pbwsform

PUBLIC HEARINGS

ABC LEARNING CENTER AMENDED SITE PLAN

Mr. Olsen appeared before the board for this proposal.

MR. LANDER: Mr. Chairman before we get started, is this going to be just for special permit or just for the temporary classrooms so the public will know what we're dealing with here?

MR. OLSEN: Special permit is for the temporary classrooms.

MR. LANDER: Just for the temporary classrooms?

MR. OLSEN: Yes, permanent requires--

MR. PETRO: This plan is for the temporary classrooms while the construction is being done?

MR. OLSEN: Correct, addressing Mark Edsall's comments from last time.

MR. PETRO: This is the third time you have appeared here, correct?

MR. OLSEN: Yes, we have increased, we did the requirements of this access into the rear, what will be the future rear parking area, indicated the required sizes on the striping and the handicapped parking space in the rear. We're still going forward with the three temporary buildings, however, there's a possibility of eliminating one of them at this point. And possibly changing the size of these buildings slightly shorter and possibly a little bit wider but they'll work within the confines.

MR. PETRO: What we're going to do also we're going to assuming the plan before us shows the three of them that what we're going at is the three of them, if you wind up with two, that is all the more better for us, we're going to assume you have three and they are going to be at least that size.

MR. OLSEN: Yes.

MR. PETRO: All right, and I see what you have done you addressed the handicapped accessibility to those on the what's that, the south side of the project here?

MR. OLSEN: Yes.

MR. PETRO: And you have a sidewalk connecting all three of them, correct?

MR. OLSEN: Correct.

MR. PETRO: There is blacktop.

MR. OLSEN: What I see in the rear yard is an existing asphalt walkway which is to remain. What we're going to do is utilize that asphalt, existing asphalt to connect to get to the other modulators and provide the ramps to each modular.

MR. PETRO: And the parking calculations that are shown on the plan they are for the amount of space also that are in connection with the square footage of each?

MR. OLSEN: They are what would ultimately be provided for the permanent site plan.

MR. PETRO: And while the temporary classrooms are there, is that parking going to be sufficient to satisfy that?

MR. OLSEN: We understand that there may be an issue this is what's required by zoning, there may be an issue to provide additional parking and the administrators of the school have worked with their employees, staff members to encourage car pooling and other alternate means by which to get to work so that they don't have as many staff cars.

MR. PETRO: Did this go back to the fire inspector?

MS. MASON: No.

MR. OLSEN: We have spoken with the fire inspector with

reference to his comment about the classification of the construction and the concern of going four stories, although he himself suggested that we separate his requirements and make them part of the building department's review. I just want to let you know that what we're planning on doing is going to an A type construction so we don't have which is non-combustible construction so we don't have those confines.

MR. PETRO: What you want to make clear for yourself, are the owners here.

MR. OLSEN: Yes?

MR. PETRO: Also, for the owners that being we're reviewing this we're going to review it under planning board eyes only, in other words, if you go through the planning process and you get final approval from us that no way means that the building department is in any way obligated to go further with your application. In other words, then you have to meet building code criteria, so I don't want you to get that confused because we have approved it, you may need fire separations, you may not be able to go four stories. I'm not going to concern myself with it. We're going to look at the footprint and meet whatever needs it is to satisfy that board and did I said that clear enough?

MR. KRIEGER: Yes, I think so.

MR. STENT: This is temporary.

MR. PETRO: This is on the temporary application and whether or not again they can go three stories, four stories or ever get a building permit at all for the construction of it is not our planning board concern.

MR. KRIEGER: In other words, after this, if the fire inspector or the building inspector raises an objection, it's not an answer to say yeah but the planning board, nothing, yeah, but the planning board not be a separate identity.

MR. PETRO: Do we want to discuss anything else? Do we want to open it up and we're going to have some

questions about landscaping and we can do that during and after the public hearing.

MR. OLSEN: Okay.

MR. PETRO: On July 6, 1998, 67, I'm sorry, 55 addressed envelopes went out with the attached notice of public hearing, Catherine Fenwick, notary public. So obviously, they went out. There's 55 of them. And with that, we're going to open this up to the public. Is there anyone here that would like to speak on behalf of this application? Would you please stand, be recognized by the chair and come forward?

MR. PONESSI: My name is Anthony Ponessi. Do you want me to come forward?

MR. PETRO: Yes, probably hear you better. I live at 265 Quassaick Avenue, I live right next door to the ABC Learning Center. I don't want this to come in conflict between you and I or anything. Okay? I'm dead set against this and the reason why is because I'm a neighbor, okay, I listen to the noise all day long, there's no buffer zone between us, okay. I'm concerned about that. I have no privacy anymore. The traffic being around, the traffic, okay, and the traffic comes in and out and you know it does raise some dust and dirt and flies over to our house and you know I'm sure it's not only our house, our neighbors, but I could just visualize this doubled what it is now, okay. If they are going to put two floors on of course they are up to fifth grade now, if they are going to put two floors on, there's going to be more students in there and I notice the buses how they pull in and pull out you know, they have a tough time making their turn. There have been a couple accidents so far, you know. My concern is you know actually okay me and my neighbors okay, I have seen, I see not many of my neighbors are here but I'm here, you know, and it's just that I have lived here since the house was built, since both houses were built, they were built at the same time. Since they were built, okay, and I see no other three story building no less in the Town of New Windsor. And what's this going to do to us here, I am, I'm just a little guy, you know.

MR. PETRO: I had checked, I want to get to the comment about the height because I was always under the impression that a height limit of 35 feet existed in the Town of New Windsor, we checked with the building department and in the code book in this particular zone, it's 50 feet.

MR. BABCOCK: That's correct.

MR. PETRO: So they are within their legal right to go to the 50 foot height without variance in that particular zone, what's the exact zone?

MR. BABCOCK: It's an NC, neighborhood commercial.

MR. PETRO: This is a permitted use in that zone?

MR. BABCOCK: That's correct.

MR. PETRO: That is the second part.

MR. BABCOCK: I think they do want to go above the 50 foot. That is not correct?

MR. OLSEN: No.

MR. PETRO: That is another part of the equation that I want to get to you with is we realize you do live there, you have a dwelling there next to it but it is a neighborhood commercial zone which means that they have a legal right to own and operate that business there, whether or not that is what you ideally would like to see. I can't say that is, obviously it's not, you know, you'd like to see a lawn there, that would be nice or another home that is not bringing in people. But we as a board have to review this under the light that they have a legal right to be there, the same as you do in your home in that particular zone and we'll discuss the traffic and the buffer zone and try to make it co-exist with you as best that we can as a board. We can only do what we can do, we can't certainly go beyond that. So, if we seem impartial, it's not so much we don't have a choice, again, the planning board I say this a thousand times a year does not say yes or

no but how. If you are before the planning board or anybody else in the town comes before the planning board, they are hereby permitted right under the law and unless you're here for a referral to the zoning board to have the zoning law amended or changed. I guess do I make myself clear? I can't say no we're just not going to review it because we don't like it there and yes, we're going to check the cars, we're going to make sure there is ample parking and we're going to do everything in our power to make the buffer zone between your property and their property good.

MR. PONESSI: You're talking about buffer zone, what exactly do you mean buffer zone?

MR. PETRO: Probably did you do a landscaping plan?

MR. OLSEN: We have not looked at doing additional landscaping at this point in time. The improvements on the property and this might help you as well involve paving, what's now part of what's now shale which is what's causing the dust problem and the areas that are shale that won't get paved are going to be top soiled and seeded and they won't be driven on. I think that is going to help you a lot.

MR. PETRO: Then it will be one good thing.

MR. PONESSI: Now I go out and you know my back yard okay and I don't want to stay there anymore, lot of kids are, you know, they have it fenced off, I'm not saying it's ugly or anything, you know, they do a nice job, they have it fenced off but you know sometimes you want to go outside and you want to do some things out there, I don't even take an interest in that anymore because there is too many kids back there.

MR. STENT: Are you talking about like shrubs or hedges or trees or give the chairman something that--

MR. PETRO: We're going to get to that. That is what I want to explain, we're going to require some landscaping buffer there from the last meeting we instructed each member plus myself to go passed there on a site visit which I know that I did, I'm sure

everybody, we pass that spot quite a few times a day, especially being across from Midway Market there, so we see it all the time, so we all have an idea of what it looks like, if I am looking at the building, you're to the left?

MR. PONESSI: Yes.

MR. PETRO: So I don't think there is anything between your property basically and that property looked pretty barren actually.

MR. OLSEN: It's also up on a rise.

MR. PETRO: It's on a rise but not a real bad rise, it goes up, but we definitely need something there and we're going to come up with a plan, I was hoping that you're have something to show us, I don't know whether a stockade fence is the answer, that might look regimented and be something you don't want but some form of evergreen barrier of a good size also, not just a three foot bush every 6 feet, something that would be substantial.

MR. LUCAS: Before I see any, give any approval, if we're going to do that, I want to see a landscaping plan, I'm not going to approve anything myself that doesn't have a buffer, if we get to that point that these people have to look at that, I mean you're saying you're worrying about the dust, he's more concerned about the viewing and I'm not happy you didn't come with a landscaping plan, I think we requested it the last time, didn't we?

MR. OLSEN: No, well, I don't recall.

MR. PETRO: We touched upon it, we're going to get some information from the public hearing so what we can do later is request a landscaping plan.

MR. OLSEN: As a permanent measure we'd look at the landscaping plan but on a temporary basis, you know it's difficult to look at landscaping, especially, you know, if this was being identified as a temporary condition, a modular, you know, is going in and coming

out again, it's only 15 feet away from the property line.

MR. PETRO: I thought that you were going to keep that one?

MR. OLSEN: Yeah, you know, at this point in time, we possibly may omit that one, in which case it wouldn't be an issue. But at this point in time, it's 15 feet from the property line. If we're going to do landscaping along there, and then we're going to have a machine in there to set these modulares, we're going to have people working in there, you're kind of throwing good money after bad, but by providing landscaping and possibly destroying landscaping.

MR. STENT: Once you set the modular--

MR. OLSEN: Then it's coming out again is what I am saying.

MR. LANDER: I think we're getting ahead of ourselves, we're only here to look at the temporary modulares.

MR. ARGENIO: I agree.

MR. LANDER: Landscaping plan will come along when and if they go to the third and fourth story.

MR. LUCAS: Why shouldn't there be landscaping with temporary modulares? The argument that he is making is that you're going to destroy them when you put them in there, that is not a good argument.

MR. LANDER: These modulares can only be there for six months to a year.

MR. ARGENIO: I don't think it's reasonable for us to force expensive landscaping plan for something that is going to only going to be there for six months, just don't think it's reasonable.

MR. LUCAS: But the screening has to be there.

MR. ARGENIO: Screening is a reasonable request, but I

agree with Mr. Lander when he says that is something critically addressed when they go for the approval of the four story building.

MR. STENT: I agree.

MR. PETRO: All right, we'll discuss this again as a board. I want to continue with the public helping now is anything else that we have to bring up?

MR. PONESSI: No, about these modulars, I understand they are supposed to be three of them?

MR. PETRO: That is what he has on the plan, correct.

MR. PONESSI: I looked at the plan and they are going to be there for let's say six months, and then you're going to pull two out and leave one there?

MR. OLSEN: Right, we haven't said we're going to take them out, they may all come out at the same time, they may phase them out, right now, we're looking at the worst case scenario of all three being there as long as is needed.

MR. PONESSI: When construction begins, where are they going to put the machines, in the front?

MR. OLSEN: Machines?

MR. PONESSI: Machines.

MR. OLSEN: For?

MR. PONESSI: You have to raise a roof.

MR. OLSEN: Yeah.

MR. PONESSI: You have to raise a roof, you know, I'm sure.

MR. OLSEN: For staging construction that would be the contractor's end of it.

MR. PONESSI: You didn't plan on that?

MR. OLSEN: We haven't designed a written plan or drawn a plan on the staging of construction.

MR. PONESSI: How about children coming in, people have to pull in and pull out okay.

MR. OLSEN: Heavy equipment should be gone by the time the children come back to school. The school is closing during a good portion of the construction.

MR. PETRO: Okay, let me, I thank you cause I see other hands.

MR. MCMANN: If the issues that I am addressing are not involved here just let me know.

MR. PETRO: State your name.

MR. MCMANN: Thomas J. McMann, 31 Cross Street, New Windsor, New York. We own a house directly beyond the property and again, the question that I am going to ask may not be at this point involved with this particular action as far as the town's concerned. Are there state requirements for space for children that you have in the building that there be so much space around the building for children to exercise in to get outside and move around?

MR. OLSEN: Absolutely, there are state.

MR. MC MANN: How many grades are in the building now?

MS. POWELS: We have one kindergarten and one first grade. Next year, we'll have one kindergarten, no, I'm sorry, two kindergartens a first, second class so we're adding an additional grade.

MR. MC MANN: Now, the four--

MR. PETRO: Can you just give us your name?

MS. POWELS: Karen Powels.

MR. PETRO: You're the owner?

MS. POWELS: Owner director.

MR. PETRO: I'm sorry, Mr. McMann?

MR. MC MANN: That's okay. I'm here to get information, the letter explained that, and I assumed that the building for the four story had gone on passed what we're in, that it was approved, so I'm glad to hear it wasn't, that is another stage. So how many children are there now, how many children are in the building now?

MS. POWELS: There's approximately 120 children.

MR. MC MANN: And you expect to have how many when the anticipating possibly the expansion in the future?

MS. POWELS: The expansion in the future, probably about 180.

MR. MC MANN: Now, are there restrictions about how much space, again, that you must have for these children to exercise in around the building when they are there?

MS. POWELS: Yes, except what we do is there is per child space and we only assign certain classrooms to play out in the playground at certain times.

MR. MC MANN: What's the final use of this building as far as you're concerned with the two stores added on to it?

MS. POWELS: It's going to be a school to add a school for children six weeks through sixth grade.

MR. MC MANN: Six weeks through sixth grade?

MS. POWELS: Yes.

MR. MC MANN: That will be with 180 children?

MS. POWELS: Yes.

MR. MC MANN: The modulars that you are going to put there, I notice that it's right, to get up there, point to that please.

MR. OLSEN: Sure.

MR. MC MANN: This is the building right there?

MR. OLSEN: The red is the existing building and these are the modulars.

MR. MC MANN: Where is my property line?

MR. OLSEN: Here. We're making an effort not to affect the existing screening and vegetation.

MR. MC MANN: Well, you can clear that back part out, that is garbage out to the end, that's no problem, that would never bother me, but there is two main factors that are involved in this whole transaction as a homeowner in the area and as a tax payer, one is the impact that it is going to have on real estate values in that area.

MR. OLSEN: Okay.

MR. MC MANN: On my house, eventually.

MR. OLSEN: I would, I'm not a soothsayer, I'm not a realtor.

MR. MC MANN: If any of my statements are not within the context of this particular hearing, I'd be glad to know, but that was one of my concerns that my property, my home would be affected by this particular construction and additional number of students that is going to be a very busy area right there with 180 and it's busy now with the children that are there, is there a time limit on the modulars, how long they are going to be there or not be there?

MR. PETRO: Yes, there is.

MR. OLSEN: The zoning designates six months.

MR. MC MANN: Can you ask for an extension if you have to?

MR. OLSEN: Yes.

MR. MC MANN: Can you ask for additional four eventually if you want?

MR. OLSEN: Additional floor beyond the four floors?

MR. MC MANN: No. Now, the other thing why not extend the building out which would seem to be a less expensive operation than extending it up.

MR. OLSEN: Actually, it's not a less expensive operation, and the site is tight to begin with and if we're going to take away area from the site that means we have less area for the children outside, we have less area to provide parking.

MR. MC MANN: So they'll be still out, be playing around with the modulars and still be in fenced in areas?

MR. OLSEN: Yes.

MR. MC MANN: And again, I wish to let the board know that I am very concerned about my property values up there because of this expansion, I think it's going to change the nature of that area considerably. It's going to be the only four story building in that area.

MS. POWELS: Can I make a comment again about that?

MR. PETRO: Sure.

MS. POWELS: The value of your property, honestly, I don't know for sure but according to the information we have been getting the Newburgh School District is having difficulty with educating children and parents are not happy, that is my, what I wanted to say, so they are coming to a private school. For the value of your property to be next to a private school that will provide quality education for a child, I can't foresee it going down, if there's a quality program right next

door.

MR. PETRO: That is the pro and the con would be the activity, if I didn't have children and I wanted to be private and to sit in my back yard like this man, it would be a nuisance to me as a homeowner, if I was there and I had my two young ones and said can you walk to school because I don't feel like riding around the corner and it would be great so I'd like to by a house.

MS. POWELS: Modulares are for infants and toddlers. Not many infants, we have a few mobile toddlers that will be playing out in the playground. There are infants and toddlers so that the modular expansion should not affect the playground at all with how many children are going out there.

MR. PETRO: You're saying modular expansion eventually they are going to be gone and have them in the building anyway.

MS. POWELS: Right, right.

MR. PETRO: We have to keep this in mind, we're reviewing two separate issues.

MR. MC MANN: You see this is the first time I have been involved in this, I was surprised I got the letter of course and you have dealt with this before so I'm going probably over things that you have already gone over.

MR. KRIEGER: If I may perhaps because as the speaker says it is his first contact with us, he should understand there are actually two applications before the planning board, one is for the temporary, that is what brings us all here tonight.

MR. MC MANN: That is in question as to whether it's approved.

MR. KRIEGER: No, that has to do with the modulares.

MR. LUCAS: Any area variance needed for that?

MR. BABCOCK: No, the variance that they need is for developmental coverage which includes the expansion of their parking and the developmental coverage of how much ground they are covering.

MR. STENT: No affect on the temporary?

MR. BABCOCK: No..

MR. KRIEGER: The so-called permanent application has to do with the raising the building to four stories.

MR. MC MANN: I understand that so the first phase after this approval for that, for the modulars.

MR. KRIEGER: Only what we're talking about now.

MR. MC MANN: The first one?

MR. KRIEGER: The first one.

MR. KRIEGER: The second one which is the final or permanent expansion of the four stories has yet to be addressed, that is not the subject of the application.

MR. MC MANN: We're dealing with the modulars right now?

MR. BABCOCK: That's correct.

MR. KRIEGER: I don't say this to try to limit you just so that you understand the context within which we're dealing.

MR. MC MANN: That is what i wanted to make sure I understand so what we're dealing with is the modular.

MR. OLSEN: If I can put you more at ease, the permanent plan requires our appearance before the ZBA which we have been referred to and there will be a public hearing through the zoning board.

MR. MC MANN: Why are you applying to the zoning board?

MR. OLSEN: That is for developmental coverage which is

the amount of impervious area on the site which is paving, buildings which doesn't pertain to the temporary measures.

MR. MC MANN: Is there a state law, well, I don't want to get into that, but my particular concerns and I will say it and I will finish is we have a lot of retired people in that area where I am, I'm concerned about potential of the value of my property that is a very big concern for me also the area itself, the type of area it is, it's a residential area primarily, and when you bring a school in with a lot of kids, it does change it as Mr. Ponessi said.

MS. POWELS: Can I address that also? It's always been a school, it's not like we're changing anything, it's been a school for the last 14, 15, 16 years.

MR. PETRO: It's almost, that is a good point, but it may not be pertinent because you're a permitted use in the zone anyway, you see, so that is what we have to all understand, that they have a right to be there the same as a single family home that is the nature of an NC zone.

MR. MC MANN: Well, I'm not contesting that, by the way, they are expanding a business, all right, I'm not there expanding my house, you know, and getting more value from my property. I have a simple ranch, what they are doing is increasing their business and helping other people and again, I understand what you're saying here as far as meeting the zoning requirements and so on and so forth and I just wanted to make sure that I understood what was going on.

MR. PETRO: Keep this in mind, that the purpose for a public hearing also is to get input from the people surrounding the application, to give us something to think about and to digest what we'll do is that such as the paving to keep down the dust or the landscaping and whatnot, we're not going to take action tonight anyway so that is one of the reasons for a public hearing that is why we're all here to get the information from you.

MR. MC MANN: There is in the past 10 or 15 years the

school has grown, has not been utilized as much, I mean the activities that are there now are not the activities that were there 14 or 15 years ago, it's growing and it's expanding and that concerns me and I just want the board to know that. Thank you very much.

MR. PETRO: Yes?

MS. HILLARY LAHEY: My name is Hillary Lahey, my husband and I own the store right across the street from the school and our only concern is with the traffic. We have had so many near accidents right in front of our store because of the traffic pulling out of the store and also pulling out from the school at the same time. It just seems that the people coming from the school are just looking at the traffic on the road and maybe the people from our store are doing the same thing and they are existing exactly where our people pull out also, if there's any way in the site plan you can change it and make it go the other way, it would be really beneficial.

MR. PETRO: The curbs that are shown, are they existing?

MR. OLSEN: There are no curbs.

MR. PETRO: There will be curbs, correct, this is going to--

MR. LANDER: I think she's talking about the traffic flow itself.

MS. LAHEY: Yeah, going the other way.

MR. LANDER: Instead of coming in on the south end, come in on the other end.

MS. LAHEY: And having it marked because I don't believe it's marked.

MS. POWELS: It was at the beginning but it just wore off.

MR. PETRO: Is there a reason to have that flow that

way?

MR. OLSEN: There wasn't anything in particular that made that it way, it's a matter of what's being, what seems to be the natural flow now.

MR. PETRO: How about the passengers discharging out of the buses?

MS. EPSTEIN: Rita Epstein, one of the directors at ABC Learning Center. Only simply because when the buses pull in, the exist door is facing the school, but that is not an impossible task, the children can certainly get out on the other side and walk in front of the bus, that is not an untenable situation, but I expect that is why it was designed that way.

MS. LAHEY: The other businesses down the line a little bit are less busy, our busiest time is between 8 and 10 in the morning when it's also their busiest time.

MR. PETRO: We'll check with our engineer, give that some serious thought and we'll keep take in consideration.

MR. BABCOCK: I don't think the applicant has that problem if there was a direction from the board which way it should be entered or exited.

MS. POWELS: Not at all.

MR. PETRO: Okay, anyone else on this application?

MRS. MC MANN: Yes, my name is Joan McMann and I also with my husband own the property that borders the ABC Learning Center. Since I'm allowed to say anything, I would like to say that I cannot imagine what a four story building in that location would look like aesthetically. Well, that is just my opinion. When I read the, we came yesterday to look at the site plan and saw that it was four stories high, I just couldn't imagine having four story building 50 stories, high 50 feet, which as far as I know, usually a story is 10 feet, that is like a five story building at the end of my property. So I was quite upset about that, but

question about the modular, since that is today's topic, these modulars are not needed unless you get approval for the other two floors, is that correct?

MR. OLSEN: What we're going for our approval to place these units. After that, we'll be going to the zoning board for the permanent site plan which would be the project, you know, the final parking layout.

MRS. MC MANN: So will you put the modulars in even if your site plan is denied?

MR. OLSEN: If the whole program, if the whole program were to be denied, there would probably be no need for temporary measures. We don't foresee that happening and I'd like to put something in perspective with reference to the height, a standard two story colonial type house, the peak of the roof and this is why in the residential districts there's a 35 foot height restriction, the peak of the roof is typically about 35 or 34 feet, our plans for this particular structure is about 45 feet. It's ten feet higher than a standard colonial house.

MRS. MC MANN: What kind of a roof are you having?

MR. OLSEN: Most likely end up with a flat roof.

MRS. MC MANN: Because coming up here, I took a look at Ephiphany, it's only three stories high and it's huge, maybe because it's up on top of a hill.

MR. PETRO: Those stories are bigger.

MRS. MC MANN: How high are each one of the stories?

MR. OLSEN: Standard eight foot ceiling.

MRS. MC MANN: Your roof is taking up the rest of the roof because 8 times 4 is 32.

MR. OLSEN: You have your floor structure that adds height and your ceiling.

MR. BABCOCK: One thing you should mention that you are

going to go 43 to 44 feet high.

MR. OLSEN: It's probably going to be somewhere in the neighborhood of 44 feet.

MR. BABCOCK: And the zoning district allows you to go 50 feet there.

MR. OLSEN: Correct.

MRS. MC MANN: This may be an error but when I took a look at the plans, I thought it said something about allowing 250 children.

MR. OLSEN: There was a maximum of 250 children that were anticipated, you know, as a possibility and that was used for parking calculations for a number of spaces necessary, that is all that that number is used for.

MS. EPSTEIN: Most of the fourth story that we're talk about will not be classroom space per se, in other words, by doubling the number of stories in the building we're not doubling the number of students, we're adding other amenities, for example, an art room, a staging area, performance area, so it is utilization of space differently. We're not going to start cramming children into all this square footage. It's not what we're about.

MRS. MC MANN: I did see that.

MS. EPSTEIN: That is for the parking, square footage of the building allows for a certain amount of building but that is not what we're about.

MR. PETRO: Okay, thank you.

MR. MC MANN: Of the 250 that are requested at the present time, does that include staff as well as students?

MR. OLSEN: It's total capacity.

MR. MC MANN: That would include children and staff?

MR. OLSEN: Yes.

MR. MC MANN: If you were to put up modulars in anticipation seems to be a feeling that you are going to be approved, okay, if you are putting up the, if you don't feel you're going to have any problems getting permission for the modulars, you're meeting all the specs, right, as I recall, and suppose you don't get approval for the four stories for whatever reason, what happens to the modulars, do you have to take them out or can they be left there?

MR. OLSEN: No, they'll have to come out.

MR. PETRO: It's temporary use six months probably with a one six month extension would be the maximum.

MR. MC MANN: No doubt it would have to go?

MR. PETRO: They'd have to go, that is town law, that is not for us to--

MS. POWELS: If it comes about to where we have the modulars in and we cannot do the third and fourth floor, we'll make changes to the building itself to accommodate the infants and toddlers so--

MR. PETRO: Okay, I think we have gone, we have got some good input. Motion to close the public hearing?

MR. STENT: Motion we close.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing on the ABC Learning Center. Is there any further questions? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE

MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: I'd like to reopen it up to the board for any questions of the applicant. I'm going to start with one on this direction of the loop, it may be well advised to find out if it's on the state regulations stating that if it's possible that the door open up to the school side, I don't want to change that arbitrarily, even though it's a good idea, we can't violate another law by doing so, so find out about that.

MR. OLSEN: Absolutely.

MR. PETRO: That is number one.

MR. BABCOCK: Jim, maybe we can ask the applicant if they are changing the curb cut along 94 because I think that is going to demonstrate an application to DOT, which is going to review that, and they are going to be the agency that is going to determine which way they can turn and the whole deal are you going to DOT with this application?

MR. OLSEN: It's my understanding that we're not for any curb cut because all we're really doing is cleaning the existing curbs that are there. There is a problem with some erosion there and we're going to be doing it.

MR. PETRO: Somebody just told me there aren't any curbs.

MR. LANDER: There's no curbs, but they are still going to have to go get a highway work permit submitted to Poughkeepsie to do any work in the DOT right-of-way.

MR. PETRO: You're going to need to put curbs in.

MR. LANDER: As far as the flow of the traffic, I don't know whether or not--

MR. LUCAS: When I worked on this project once before with Mr. Valcenti when they were going to make dental offices not only with the DOT but there was some

drainage issues that they were concerned about and there was I think there was a catch basin down below so there is drainage that they have to address.

MR. PETRO: Can't have the sheet flow out to Route 94, in other words, you can't have the water running down the driveway out to 94, so you might have to pull the trench drain or catch basin with a negative slope to the road.

MR. LUCAS: Down the road some there's a small stream and catch basin that they addressed at that time so you may have to look at that.

MR. PETRO: Under the normal plan once you go to the zoning board if you can successful come become for the structure itself you're going to have to go to DOT with that.

MR. OLSEN: Yeah.

MR. PETRO: You're concerned about this, in other words, you're feeling with the temporary you don't have to address the curbs is what you're saying?

MR. OLSEN: We're not making any of the paving changes at this point in time.

MR. LUCAS: But you're going to pave to the road though right?

MR. OLSEN: We're not changing the pavement to the road, no, the existing pavement is going to remain existing, newly delineated parking spaces are going to be done in shale except for the handicapped space that is the only thing that is being paved at this point in time, and this access road to the rear and this handicapped space back here that is what's being addressed at this time, the rest of it is going to remain the shale or re-delineated in shale.

MR. STENT: For the temporary.

MR. OLSEN: Yes and that was a recommendation from Mark Edsall because he didn't want to see the clients

spending money on pavement if they are not--

MR. PETRO: I still, you know, this two phase thing is really getting to me on this application. I don't know why. I'd rather see none of this happen if you are not successful at the zoning board and do not acquire the permit to go to the four stories or to build, in other words, if you can't get that far, there's no sense of putting the temporaries there.

MR. OLSEN: Well, the issue that stands is as Miss Powels mentioned is that if the third and fourth story cannot be done for one reason or another, whether it be an economic issue, whether it be a code issue, they still want to be able to utilize parts of the building for the toddlers, the infants, et cetera, in which case there is still work that would go on in which case they'd still need the temporary plan.

MR. LANDER: In layman's terms, you're still going to do construction in that building, so you still need the modulares even if you don't go to the four stories?

MR. OLSEN: Correct.

MR. BABCOCK: Keep in mind the third and fourth story is not really an issue because we have talked and we feel that it could be built to code, New York State Code, there's some other issues that we have to work out, it's the only issue that the zoning board is going to look at is the developmental coverage.

MR. PETRO: I didn't want to have the trailers there if it is going to happen we have all this disturbance, first thing you know, the trailers don't get moved and we have to go down with a court order to have them moved. I want to head all that off at the pass.

MR. BABCOCK: They want to put the trailers in either way if the four story building is defeated because of the developmental coverage they are going to do something to the building to accommodate what they want to do.

MR. PETRO: Still construction is going to go on

anyway.

MR. BABCOCK: That's correct.

MS. EPSTEIN: You won't need a court order.

MR. PETRO: Any other comments at this time? I think what we need to do is digest this, I want to see some landscaping, even on a temporary basis on the one side if you have to put them in and pull them out we're in the building business, that is what you do and cost is not a determining factor to us.

MR. BABCOCK: One comment I'd like to make in your opening statement you said that they may decrease in length and increase in width, they wouldn't be getting any closer to the property line with the width?

MR. OLSEN: No, we would adjust it as necessary. Right now, we're showing 35 feet on this one side which only actually has to be 20 feet, so we have a little bit of latitude there, and we would lessen the severity of the pavement to the trailer here and chances are this would be eliminated and this would get a little bit shorter and encroach a little bit more on the play area.

MR. PETRO: It's not going to be worse than it is now, worse being closer to any property line.

MR. BABCOCK: When are you going to be able to make the decision and change that plan by the time you come back here next time?

MR. OLSEN: Absolutely. Basically, we we're waiting for a contract with one of the modular companies that--

MS. POWELS: Contracts are ready to be signed so we're waiting for the town.

MR. PETRO: With my landscaping idea, we have to, and I don't want to seem hard about costs like Mr. Argenio said, it may not be right to put something in temporary and pull it out, but we do have other considerations and we need to consider those as far as your neighbors are concerned with dust, you're not going to have the

blacktop with the offset here so you're going to have some dust and other building debris, whatever it may be, so there should be some temporary, you can probably get it in and use it for, leave it there, I don't think you need to take it out, I have run backhoes and bulldozers and I can move a dime around. The guys that can really move can get through the saplings.

MS. POWELS: Where can the landscaping be, can it be right on the property line?

MR. BABCOCK: Yes, you know, on your own property.

MR. PETRO: As close as possible and I think we need to see some substantial trees.

MR. OLSEN: Blue spruce, white pine.

MR. PETRO: Five foot. We hear all the time they are going to grow into big trees. My son will enjoy that. We need to have to stop the dust now.

MS. POWELS: We have already looked into that because that was something that we were going to do anyway.

MR. PETRO: So, once you have the plan and you're going to utilize the same plan for the final second phase there with the structure, have them lined up wherever they are supposed to be, plant them there, if you save them, you save them 15 feet is a pretty good size space to move around in, you're going to find out about the one way if you are going to change that, if you can legally, I don't think the board has a problem which way that comes in or out.

MR. STENT: I like the idea of reversal.

MR. BABCOCK: Can we suggest that we send the plan to DOT now? This plan is something that--

MR. PETRO: I think they want to start work and this plan hasn't gone to DOT, you're going to be waiting.

MR. OLSEN: We're also looking at a, maybe making the change, necessarily making that change now dealing with

DOT now or is that a permit site plan issue?

MR. LANDER: Mr. Chairman, with this temporary setup, they are not going to do any improvements in the right-of-way so I don't think they have to go to DOT right now.

MR. PETRO: I think the count isn't going to change, the space is increasing, now you have a hundred and something people now so that is what's going to stay with the temporary, correct, only afterwards it's going to increase so the traffic won't be any worse, the only worse traffic will be construction traffic which should not be all day long.

MS. POWELS: We do plan on shutting down during construction, so you are not going to get the buses or parents.

MR. PETRO: So it may decrease some traffic during construction, I think when we go to the actual build out of the building on that plan we'll expect to see the answer on the DOT's input, the curbs and the flow.

MR. LUCAS: No construction going on when there's school, is that what you're saying?

MS. POWELS: That's right.

MR. OLSEN: No major construction.

MR. LUCAS: You mentioned you had gone to some of the other businesses and ask to park on their property.

MR. OLSEN: Oh, yeah, that was something that was thrown around at a meeting, I think that they thought about that a little bit more and as I said earlier tonight, they are interested in working out some kind of car pooling with their staff so they can free up spaces for--

MR. PETRO: Another question we haven't touched upon too much was the lighting on the temporary modulars, what type of lighting for the outside, are you planning wall packs with what kind of a flow, we don't want to

light everybody's bedroom with these temporary units for a year, should be there a year.

MR. OLSEN: That is one of the reasons why I'm facing all the buildings into the play area, the lighting on them is such that, you know, they light up the entry to the modular and not across the play area, it's fairly well direct.

MR. PETRO: Some of the handicapped pathways and accesses are going to need to be lit, so you are going to have to have some flow of light to cover those areas, it does look like where Mr. McMann lives in the rear I'd been very hard pressed to get light back there the way it's situated because you--

MS. POWELS: We have spots, spotlights all around our building, we have four in the back, two on each side and four in the front.

MR. OLSEN: They are all indicated on the map.

MS. POWELS: So that is everything is lit, it's like daytime in the back when the spotlights are on. Mr. Ponessi can attest to that.

MR. PONESSI: Sure can.

MR. LANDER: Mr. Ponessi, do the lights bother you?

MS. POWELS: We moved the lights for him.

MR. PONESSI: They moved one light in the front because it was coming in the front window. I have my room right on the side of there building and they have a big spot there, I've got to keep my, I have to keep closed all night.

MR. LANDER: Are they on all night the lights?

MR. PONESSI: Yes.

MS. POWELS: We had a few break-ins.

MR. LANDER: For security?

MR. PETRO: Be advised when you come back for the second plan we're going to want to see some lighting information, I don't know if Mark is going to ask for curves and everything else, but we're going to need some more information other than just showing us the wall packs on the building. I'd kind of like to know how it's going to be lit instead of floods, maybe area lighting, so it would go down instead of shooting across people's bedrooms.

MR. BABCOCK: Typically, what Mark would talk to you about is having some lights maybe along the property line facing towards your own building instead of on your building facing out towards the residential, so maybe you ought to look at that.

MR. PETRO: We have gone as far as we can go tonight, I think you can do a little bit of work such as the landscaping plan for the one side, keep mentioning Mr. Ponessi, the other side is Mr. Tangredi.

MR. LUCAS: He's got a 9 to 5 business.

MR. MC MANN: I'd like to see some type of the screening there because even with the traffic going in the back, there are going to be some lights, the lighting is going to be important and the screening for me.

MR. OLSEN: The parking in the rear exists now so that really isn't going to change, in fact, the number of cars is being reduced.

MR. PETRO: Come up with a viable landscaping plan, what we'll do is at the next meeting we'll tell you how much of it we want in now with the temporary and then with the final phase.

MR. OLSEN: Would you like me to prepare temporary phase landscaping?

MR. PETRO: You can do that.

MR. OLSEN: Then we'll handle the other on the

permanent.

MR. PETRO: Make sure it's enough then when you come back, say really not big enough, you have to come back so make sure it's substantial.

MR. STENT: Show the existing that is there now in the back.

MR. OLSEN: Now that is being shown.

MR. LUCAS: Really isn't nothing though in the back, right, Mr. McMann, there's not a real good planting in the back between your--

MRS. MC MANN: It's a steep hill, overgrown.

MR. LUCAS: There's not evergreens or anything like that there?

MR. PETRO: Okay.

MS. EPSTEIN: May I ask you question as one of the educators, school starts in September, what type of timeframe, layman's terms are we looking at so we can have those modulars?

MR. OLSEN: They are looking to sign the contract.

MR. PETRO: What year is this?

MS. POWELS: The infants and toddlers that we have coming over were at another location and we have been working with our landlord to move out of that location so we're trying to move the infants and toddlers, get all this done all in a convenient amount of time. We also have siblings of children in our, in this school, in the other school right now, the parents are bringing them to one school and then dropping the children off at the other school so we're trying to accommodate everybody and address everybody's needs and I understand that is not something that you particularly have to address everybody's needs but this is what we're trying to do and we're trying to do it in a timely fashion.

MR. OLSEN: Also not to interrupt Mr. Dan Amatuzzo is the contractor that is going to be doing the service work for the modulars, if I could get an idea as far as time wise for the construction phase of the modulars?

MR. AMATUZZO: In terms of preparing the site?

MR. OLSEN: Yeah, preparing the site?

MR. AMATUZZO: Probably a month and a half.

MR. PETRO: To get them ready, well, let me poll the board, other than the landscaping that we're asking the applicant to install, what else do we feel has not been complied with for the temporary only, what else?

MR. LUCAS: Fire board it has to go back.

MR. OLSEN: We have approval for the--

MR. LUCAS: The only thing I'm concerned about is the lighting and screening, I want you to address that and the--

MR. STENT: We should be--

MR. PETRO: Next meeting for sure.

MR. STENT: Next meeting we should be able to take action.

MR. PETRO: Next meeting is August 12 so considerable amount of time.

MS. EPSTEIN: Can I ask an unprofessional question? Are you allowed to tell us what you, what type of lighting do you want? We'll give it to you, you asked our architect to come back to you with lighting and with screening, we're 100 percent amenable to working in both those areas to keep the community as comfortable as possible, so whatever you want we'll do, this is not an area where we have to debate it, and we're anxious to do this. Is there any way of us giving you a verbal assurance? I don't know, I'm

asking because--

MR. LUCAS: Ask the chairman, I think you can direct that to him.

MR. LANDER: He will bring this plan in and our engineer will go over the lighting with your engineer and they'll come to an agreement on what lighting is appropriate for this site.

MR. PETRO: You're talking about lighting for the temporary because I want to do a real lighting plan for the permanent, but I think for the temporary they already have enough lighting for the area, you can show us maybe a couple area lights that may help or may not help, I guess each unit is going to have lights.

MR. OLSEN: Yeah.

MR. PETRO: So, what I am suggesting not to hold up the applicant, maybe we can do a final upon, we'll not be able to do anything until the engineer reviews and accepts the lighting which may be a couple more area lights and also the landscaping plan for even the temporary, not the entire project, but we want to see the plan for the temporary and with that, if they do a subject to, once he says okay, it's fine and we agree then he can receive a building permit.

MS. POWELS: So we don't have to wait till the next meeting?

MS. EPSTEIN: So simultaneously, we can sign a contract for the modulars?

MR. PETRO: I can't say that because you're pinning me down on something. What I am saying if we do a subject to, the action can be taken and you'll not have to come back to another meeting, if you comply. If you don't comply, then you have to come back to another meeting and this is only for the temporary, not doing with the main site plan. Does anyone have anything to add or disagree?

MR. STENT: Make a motion.

MR. PETRO: We have to go through the entire process lead agency.

MR. STENT: Motion we declare negative dec on the ABC temporary site plan.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on the ABC Learning Center on Route 94. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. LANDER: Do we have anything from highway?

MR. PETRO: No, because again we're not disturbing anything out there, this is all interior, but he did look at it anyway and approved it on 7/7/98 from the highway department and once again, this would be any motion would be subject to the landscaping plan for the temporary use of the property with these trailers, has to be approved by the engineer and if there's anything if he looks at it says my God, this is no good, we're going to come back.

MR. LANDER: Does the audience know what we're doing? This is only for the temporaries, just for the modulars, has nothing to do with three, four, five stories. Make a motion.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the temporary section of this ABC Learning Center site plan on Route 94 subject to the landscaping plan be accepted

by our engineer and some lighting being shown also to his satisfaction for the new area. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	NO
MR. PETRO	AYE

MR. PETRO: Mark will be back when?

MR. BABCOCK: I'm not sure, Mr. Chairman.

MR. PETRO: He will be back next week, if you can get him a plan that he can except he will bounce it off the members, if there's a problem and we'll go on to the next one, good luck. I also want to mention for the minutes my son does attend this school but I have no affiliation with the applicants.

ABC LEARNING CENTER AMENDED SITE PLAN (98-19) QUASSAICK AVENUE

Mr. Olsen appeared before the board for this proposal.

MR. PETRO: For the minutes, I'd like to state that my son is attending this school. Obviously, I have no connection whatsoever to the applicant.

MR. OLSEN: Since we spoke or since I was before the board last, we have changed the plans a little bit in that the three proposed modulars for the rear are now all temporary, none of which are going to be permanent which would leave us from having to acquire the zoning variance for the side yard setback. The other change since then as discussed we separated the handicapped spaces so that during the temporary measures we'd have direct accessibility to the building to those temporary modulars.

MR. PETRO: You'll have sidewalks going in?

MR. OLSEN: Yeah, we're showing right here on the interim plan. In the final plan, we revert to the two in the front because there's no need for accessibility to the rear.

MR. LANDER: You're also adding a story?

MR. OLSEN: And we're going to four stories.

MR. PETRO: We have to hold the public hearing for the trailer special use permit, no variances are going to be necessary.

MR. LANDER: No variances necessary for a fourth story, no?

MR. OLSEN: No, we're within the height.

MR. PETRO: For the temporary use.

MR. EDSALL: Even the permanent use, the allowable height.

MR. PETRO: Remember I asked last meeting and I'm surprised it's 50 feet.

MR. STENT: Mr. Chairman, we're working on the temporary site plan now?

MR. OLSEN: Well--

MR. STENT: The notes here reflect temporary and permanent.

MR. EDSALL: Maybe I can clarify, it's one application but it includes two requested approvals and it includes two plans. The first action you'd be taking is approving the temporary modular buildings which would be one approval while they are seeking the necessary variances so they can get permanent approval and start that construction and it involves two different public hearings because it's two different uses under the bulk tables.

MR. PETRO: Why aren't there two separate applications, how are we going to do an approval for only half of an application?

MR. EDSALL: Well, what you would do is you would treat it as one action as far as SEQRA and then you would just grant the approval for the temporary and grant the approval for the permanent. So it would be actually you're giving two approvals under one application but we didn't or I didn't believe it would make sense to have two applications with one of them being a temporary use.

MR. KRIEGER: It would have required double SEQRA review which seems pointless.

MR. PETRO: What we'll need to do is to make sure that we explain ourselves because until Ed brought it up, I didn't realize we were doing two separate approvals so we need to be specific in the nature of any approval that we give.

MR. EDSALL: Yes, I'll try to help out.

MR. STENT: We have to address that it is temporary.

MR. PETRO: Temporary once we'll be working on that obviously, the SEQRA will go for the entire project.

MR. LANDER: Just clarify one or you can clarify one thing for me, on the permanent side of this thing minimum side yard says 100 to 200?

MR. OLSEN: Minimum side yard required is 100 and 200 and what's existing.

MR. LANDER: You're saying because it's a pre-existing building?

MR. OLSEN: Pre-existing condition.

MR. LANDER: But we are going up two more stories.

MR. OLSEN: Within the same envelope.

MR. LANDER: Still going straight up, I don't understand that you're saying it's 50 feet, the height of this building is 50?

MR. OLSEN: The height of the building is not anticipated to be more 45 feet.

MR. LANDER: How far away from the lot line would you have to be at that point if it was at 45 feet, how far away from the lot line would you have to be?

MR. OLSEN: I don't know requirement on height versus side yard.

MR. EDSALL: This particular zone for this use doesn't provide a requirement for height based on setback to the nearest lot line, it gives a blanket 50 feet, it's a 50 foot requirement if you are all on the side yard setback or if you are 100 feet away from the side yard setback.

MR. LANDER: That is why I was wondering why they had 100 and 200 feet for side yard, I know the building's there but we're still going up two floors, that is my

contention.

MR. EDSALL: I'm sure that is something that the zoning board will probably consider when they look at the whole application.

MR. LUCAS: And after the completion of the four stories, then you're going to take the temporary modulars out?

MR. OLSEN: They are out.

MR. LUCAS: I just don't like, it's so busy, it's so big and so busy and with all the students it's an awful lot of work going on.

MR. ARGENIO: Is there a time constraint on construction of the temporary gym?

MR. LANDER: For leaving the trailers there.

MR. ARGENIO: Is it 90 days, two years?

MR. OLSEN: It's six months. And as I indicated the last meeting, right off we'd like to go for a year because that is what we anticipate construction to be.

MR. PETRO: I want to read this in from the fire inspector. The proposed intermediate plan for the use of three temporary modulars classrooms is acceptable. Number 2, further discussions with the architect engineer will be needed for the addition of a third or fourth story, it is the opinion of this office that the building is Type 5 wood frame construction, as such, a third or fourth story cannot be added and is not permitted by code for a C6.2 occupancy building construction would have to be upgraded to a non-combustible structure. This would allow for four story structure with maximum fire area of 8,000 square feet. Bob Rogers, July 7, 1998.

MR. LUCAS: I don't understand how you're going to keep those two modulars and keep 'em in tact and do all that construction and add two stores and have working trailers there and trucks, it's just an awful busy

area.

MR. ARGENIO: Mr. Chairman, I don't understand something, I understand the content of the letter you just read but Mr. Rogers' signature is on this so I'm under the impression he's signing off on it.

MR. PETRO: He signed off on the temporary modules. I'm getting back to this other thing, Mark, you have been doing this longer than me, so you probably know more than I do, but I still think they should be two separate applications.

MR. EDSALL: If it would make it easier for the board, I mean, I think it would be fair maybe not to ask the applicant to file two fees, two review fees and all the costs that go with two applications since they really are hand in hand, if you'd like to keep them separate numerical and file wise, we can do that.

MR. PETRO: And do one at a time and we're still getting ahead of ourselves also how are you going to get around this construction with the fire inspectors talking about you must have some plan or you wouldn't be standing here.

MR. OLSEN: Yes, the building is actually 4A construction, and not a 2A.

MR. PETRO: Why do you say it's not wood frame. I've been in the building, it is wood frame, the bottom part of it was the old foundation to the house.

MR. OLSEN: Top and bottom is all brick exterior load bearing, partially load bearing.

MR. PETRO: I would disagree, I think the bottom of the building obviously is load bearing.

MR. OLSEN: Second floor walls are 20 inches thick more than frame.

MR. PETRO: If we took the frame out of the building, it would stand there on the bearing walls of the exterior brick?

MR. OLSEN: Yes.

MR. PETRO: I don't know about that, I can't call you a liar because I don't know and I don't mean to do that but I find that hard to believe knowing a little bit about construction myself. I think you need to resolve that problem no matter what you're going to resolve it, so when I look at this, you're going to have an approval from the fire department. What I'd also like to do I want to go back to the temporary, the first thing you're going to need to do is get the temporary approvals so you can get the trailers in and move the children out, correct. But if you don't have an approval to remodel the building, there's no sense of putting the temporary trailers there. Was that part of your reasoning for doing it all at one time, you know what we can do, do one and move right to the next.

MR. EDSALL: Why don't we keep the current number of 98-19, use that for the trailer approval, we'll set up another number for the permanent, we'll just always have to go back to back on the agenda.

MR. PETRO: Very similar to a lot line change and a subdivision.

MR. LANDER: Now, are you going to, in the existing building there, are there going to be children in that building during construction or are they going to be all in the temporary modular buildings?

MR. OLSEN: They'll not be all in the temporary modular buildings when they are doing the exterior work. We have have the intention to evacuate the entire school during next summer and do the exterior work and the additional floor structures and then the children can come back in to the interior while they are doing interior work and have it sufficiently closed off for access.

MR. LANDER: I would imagine that you are going to to have a fence around this whole thing, the existing building would be a construction fence chain link fence?

MR. OLSEN: During the exterior work, yes, absolutely.

MR. PETRO: What are you going to zoning board for, coverage?

MR. OLSEN: Coverage.

MR. PETRO: Why for coverage, Mark, when it's the same floor plan?

MR. EDSALL: Good question, but as they add more floor area, they need to add more parking so the parking is what's makes them go over.

MR. STENT: You're talking about the permanent?

MR. EDSALL: Just for the permanent site plan they need the variance.

MR. LANDER: The footprint of the building really hasn't changed.

MR. EDSALL: But the development coverage when they add the parking to handle the additional floors.

MR. PETRO: Mike, do you have any knowledge on this construction?

MR. BABCOCK: I have only been in the building a couple times, I thought it was a wood frame with a brick veneer, but I'm sure he's looked at it and I'm sure we can work that out with him.

MR. LUCAS: I looked at that when Mr. Valcenti went through the whole building and I know of course the roof structure is frame and if I remember, most of it is like you say it is a brick veneer with like a block on top of it. There is a lot of interior wood framing and some of the, I didn't know, I'm looking at it as a builder, you have all these kids there, you're going to go up two stories, all these teachers parking, how many guys are you going to have working on the building, where are they going to park? It's a very, very busy plan.

MR. PETRO: Mike, you're losing me, are we talking about the construction? Let's stop talking about the construction because you're going to have to work that out. We'll assume that the fire inspector's going to say it's okay, we'll go on, but you're saying it's too busy to handle the construction and the children at the same time.

MR. LUCAS: Yeah, the construction guys going in and out.

MR. STENT: On a temporary basis, you don't have to worry about that.

MR. LUCAS: Temporary will be there while you're working on the--

MR. STENT: We're talking about the temporary tonight.

MR. LUCAS: Still, I mean even the temporary you have three in the back, maybe two, squeeze them together and you've got 15 foot for one side yard and in the back there is 15 foot, I mean it's just an awful lot.

MR. OLSEN: Also spoke about setting up some sort of a deal with the businesses across the street to allow faculty parking in the interim, that type of thing, you know, I'm sure that we can handle the parking and the traffic.

MR. PETRO: We can get a letter so we have it on file that additional parking is available if it's needed, of course, it's only for faculty, you can't have the children crossing that street.

MR. EDSALL: We have to be careful with faculty unless they had excess parking based on the site plan application, you'd be using this retail parking for an off-site use which could cause the customers of that business to park on the street.

MR. PETRO: Only for the temporary time also, correct.

MR. EDSALL: True, but it's a year's worth of potential

for problems.

MR. ARGENIO: How many square feet is the building on the two stories?

MR. OLSEN: About 6,000 square feet total.

MR. ARGENIO: 300 square feet?

MR. OLSEN: 3,000.

MR. PETRO: Here's what I want you to do, two things, I want you to get the construction problem straightened out with Bob Rogers from the building department so I get that off my mind, number one.

MR. OLSEN: The fire comment.

MR. PETRO: That you are actually going to be able to build this, no sense reviewing all this if they tell you you can't add the extra two stories.

MR. OLSEN: Based upon New York State code and construction type 4A, the other comment with reference to the occupancy C-62 that would be for the daycare which would only be the first floor, the other three floors would be C-5.5 which is for the school, 4A, two stories area is 6,000 square feet, automatic sprinkler which we intend to provide increases that a hundred percent.

MR. PETRO: Okay, I'm convinced that you are convinced there's no question in my mind and you may very well be right but until I have it here, there's no sense in going any further where we have approval from the fire department that the additional stories are going to be able to be built and the reason I'm getting to that point is because there's no sense discussing the temporary trailers until we know that we're going to go further because the temporaries are going to come first. Also at the next application, I want it broken up into two, we'll review them both at the same time as Mark suggested, we're going to have them piggybacked but the temporary first ones we know that is fine then we're going to go further and we might want to do the

other one first because it's going to to zoning board, there's no sense of doing all the temporary until we know zoning is okay.

MR. EDSALL: Well, yeah, the first question I'd ask would you like to have the public hearings the same night so he can get all the comments one night?

MR. PETRO: I would say yes.

MR. STENT: I think we should go for a public hearing now, I think you'd like to start and get the modulars by September, October?

MR. OLSEN: September.

MR. EDSALL: There's no--

MR. LANDER: You have to have a plan nailed down.

MR. STENT: We have the temporary plan in front of us now.

MR. EDSALL: Both plans are complete and have all the bulk information on them, obviously, all you gentlemen have a lot of comments about it and I'm sure the public may have comments but--

MR. LANDER: They still might not get the third and fourth floor, they might get three.

MR. PETRO: We'd need to have that resolved before they come back.

MR. EDSALL: The third and fourth floor aren't a decision of the zoning board, the third and fourth floor as far as being capable of building those by code is really between Mike and Bob Rogers to work with the applicant.

MR. LANDER: But isn't it coverage that they have to go to zoning?

MR. EDSALL: Coverage relative to parking but the zoning board will make a decision if it meets the code

and they are permitted.

MR. PETRO: Zoning law requires a public hearing for coverage.

MR. EDSALL: Yes, the question becomes unless you want to not have your public hearing until you find out if they've gotten the variance for the coverage.

MR. LANDER: No sense of us having one until zoning.

MR. ARGENIO: So, the zoning is going to have to have one then we're going to have to have a second one?

MR. PETRO: Another one for the temporary trailers.

MR. BABCOCK: It's a special permit by this board so you have to.

MR. LUCAS: I'm going back and Ed probably will confer with me as firemen we go back to something like this and I'm never, I'm all for child care and everything else but just seems like an awful busy spot, something really bad can happen and I don't like it and I have never said that on the board.

MR. STENT: How do we get to the zoning board now tonight?

MR. PETRO: Well--

MR. OLSEN: Before we go.

MR. PETRO: I don't want to send him to the zoning board because we don't know whether the structure we're going for is a legal structure.

MR. EDSALL: They want to pursue it, they are pursuing at their own risk, they want to accelerate the process.

MR. PETRO: If it doesn't work out, they went to the zoning board for nothing.

MR. EDSALL: Exactly, so I would suggest that you take action on the permanent site plan and refer that to the

zoning board.

MR. BABCOCK: Jim, the other thing is that if we don't come to an agreement on how this building has to be built, there is also, they can go to the board of review which is the state which is something similar to a variance that the zoning board would give and if unless we can work it out.

MR. PETRO: Let's do number 4.

MR. STENT: Make a motion for lead agency under SEQRA process.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the ABC Learning Center site plan and again, this is for temporary and permanent, what we're going to do is for both, Myra, you have that down when it comes back as two, we took lead agency for both. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: What we're going to do is Mark should we waive the public hearing and do all the other stuff before we send him to zoning but just go directly to a final approval?

MR. EDSALL: You can't, keep in mind you can't waive any of public hearings, but I would say just consider an approval motion on the permanent site plan and get it over to the ZBA.

MR. STENT: Make a motion we grant final approval to the ABC Learning Center site plan for the permanent building.

MR. LANDER: Second it.

MR. PETRO: Motion has been made.

MR. OLSEN: Can we be referred to a public hearing on the temporary modulars for the 22nd since we have our mailings in place and our advertisements in place?

MR. PETRO: Well, you're not going to go to zoning and back here.

MR. OLSEN: For the public hearing for special use with the temporaries.

MR. PETRO: We have a motion on the floor also let me finish the motion first. Motion has been made and seconded that the New Windsor Planning Board grant final approval to the ABC Learning Center site plan. Is there any further discussion from the board members?

MR. STENT: Permanent site plan.

MR. PETRO: Permanent site plan.

ROLL CALL

MR. ARGENIO	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for the necessary variances that you may require. Once you have received those variances, you may reappear before this board again and we'll review it for site plan review. That is on the permanent structure.

MR. STENT: Mr. Chairman, on the temporary plan, if they want to go the financial risk of doing the investment in the temporary and may not get approval for the permanent one, are we--

MR. PETRO: We can schedule a public hearing, I believe because this set up for the temporary is going to remain the way it is regardless so this is the plan so we can schedule this temporary public.

MR. STENT: Make a motion we set up temporary public hearing for the ABC on the temporary site.

MR. PETRO: Not a temporary public hearing, it's a permanent public hearing for the temporary site plan.

MR. STENT: Right.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board set up a public hearing for the temporary part of the application for the ABC Learning Center site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Back to what Mike was talking about, I didn't want to sluff it off like I'm not concerned, but I am about the parking and the congestion of the site, the parking spots required for the temporary trailers, has that been calculated, where are they going to park for the building?

MR. OLSEN: They'll utilize what's currently being used and what's going to be delineated in both paving and shale in this, in these areas here.

MR. PETRO: But that parking now doesn't all exist as it's shown, correct?

MR. OLSEN: Correct.

MR. PETRO: So, it is less than what you're showing already.

MR. OLSEN: Right now it is, although it kind of sprawls because they have filled in where areas have been parked on by cars over the past.

MR. PETRO: I know but it's especially in winter if it's snowing, you know what I'm talking about.

MR. OLSEN: That is why I want them to cut it in and shale it.

MR. PETRO: But the point Mike is making you're still going to have the same number of students there at the time the construction crew is utilizing the parking for the school only.

MR. OLSEN: Well, currently, the school, the people in the school park from approximately here to approximately here and that is what they use, what's used inside this circle is people ride off into the dirt or the grass over on the side here to drop people off. What I am doing is I'm taking these maybe 12, 13 parking spaces and providing them with about 20 inside the circle.

MR. PETRO: During construction and we're going to have signs up that say temporary parking?

MR. OLSEN: It will be delineated for parking in shale as opposed to paved and striped.

MR. PETRO: You'll hear more about this I'm sure during the public hearing and that meeting.

MR. STENT: I think Mark have you addressed the parking issue.

MR. EDSALL: A couple comments I have for him.

MR. PETRO: Thank you.

ABC LEARNING CENTER SITE PLAN (98-19) QUASSAICK AVENUE

Mr. Mark Olson appeared before the board for this proposal.

MR. OLSON: I'd like to preface this review with a comment that for the owners of the school, the time is of the essence, they are consolidating a couple other schools and due to a lease agreement, they need to try to consolidate by September.

MR. PETRO: So, you're putting pressure on us?

MR. OLSON: Not putting pressure, but if there's a way to expedite, we'd appreciate it. Basically, this is what we have on page one is an interim plan where they are looking to place two temporary modular units in the rear which we're aware that we'll need a special permit to do so and a DSS modular building which would be a Department of Social Services modular which would be permanent as a daycare facility for the school so that they can handle children from six weeks up through six years. The proposal for the site would be to take away those temporary modular classrooms and provide an additional story on top of the existing building.

MR. PETRO: It's already a two story building, you're going to go to three floors is what you're saying?

MR. OLSON: Yes.

MR. PETRO: What about height requirement, is going to be within the height, 35 feet, that building is high now?

MR. OLSON: It's a 50 foot, I thought the entire Town of New Windsor was 35 feet.

MR. BABCOCK: I have to check that, Mr. Chairman, I think you're correct at 35.

MR. PETRO: Which would mean you have to go to the zoning board also.

MR. OLSON: Correct.

MR. PETRO: I'm not saying that we're not for or against that, the height, just that would change things.

MR. BABCOCK: Mr. Chairman, it is 50 feet for private school, that is.

MR. PETRO: That's interesting, so you're still going to be within the 50 feet height?

MR. OLSON: Yes, it's three stories, only optimum situation three stories would put you about 24 plus construction of the roof.

MR. PETRO: Let's talk a little bit about the traffic to these back classes, how long are you going to keep the temporary modules? Obviously, until you finish the building?

MR. OLSON: We're looking for a year, we understand that it is typically six month provision but we're looking for a year for those, just so that we're sure that we can complete construction.

MR. PETRO: I'd like to tie those in if we ever got that far into the C.O. issued on the new building, last thing we want to see is these temporary module classrooms staying there after the applicant's moved in and the next thing we know, we have little recourse to have them moved, somehow towards the end of the application, we're going to tie that into the C.O. being issued, okay?

MR. OLSON: Absolutely.

MR. PETRO: Now, as being temporary, Mark, what about the parking regulations and the handicapped accessibility to these temporary units, how do we handle that?

MR. EDSALL: Handicapped parking spaces are going in in a permanent manner. The access to the buildings are to the modulars would be through the existing building. There's going to be no walkways to the exterior, so

their handicapped provisions would need to be through the existing building and whatever ramps they need between the existing building out to the rear grade and then into the modular units would have to be accomplished as part of the building permits.

MR. PETRO: And the existing building now is going to be non-occupied as the construction is going to be done, it's going to be vacant for a year?

MR. OLSON: No.

MR. PETRO: You're going to utilize part of the building?

MR. OLSON: Yes, we're looking to be closed down for probably like three, two to three month period, but to open again while they are finishing.

MR. PETRO: Parking as it stands now, is that calculated on the existing two story building being a three story building? And the reason I'm driving to this point is you're going to have additional classrooms in the rear plus occupying the two story building, so you're going to have a lot more capacity.

MR. OLSON: The maximum enrollment wasn't noted exactly correctly on your plans, the parking is based on a one space to 12 students and they have and anticipated enrollment of 250 students maximum which puts us into 21 spaces. What they are looking for and what you see on the second sheet are 6 additional on top of that parking spaces for faculty.

MR. PETRO: Back building, so we have a total of how many, Mark?

MR. OLSON: 27.

MR. PETRO: What's shown is 27, what's shown here I can't add them up, what's shown on your plan?

MR. OLSON: 21 in the interim and then final we're providing parking on the side and that will go to 27.

MR. PETRO: I think we need to show that on the plan in some form, do you have it on the second sheet?

MR. OLSON: I think it's on the second sheet.

MR. PETRO: Once they are removed this is the way it's going to look?

MR. OLSON: Yes.

MR. LANDER: The picnic pavilion, what type of structure is that in the rear?

MR. OLSON: It's exactly that, it's a pavilion, four posts and a roof.

MR. LANDER: Concrete floor, footings?

MR. OLSON: Right now, I don't even think it's a concrete floor.

MR. LANDER: That is existing now?

MR. OLSON: Yes, they are looking to remove that temporarily and reinstall it.

MR. LUCAS: What's DSS, Department of Social Services, there won't be children?

MR. OLSON: It will be used for children under three years of age.

MR. LUCAS: So with the temporary building, how much fire access? There may be a problem too because you don't have, you have no fire review, that may be a problem, you might want to address before you get it there because they are going to want some type of accessibility to the building.

MR. PETRO: It's been reviewed by the fire department, we have a disapproval plan, is not stamped by licensed engineer or surveyor.

MR. LANDER: What kind of turnaround do we have in the back? Would they fight the fire from the drive in the

back here and they can't get out?

MR. PETRO: He is going to have to review this, I think he didn't review it because it wasn't stamped.

MR. EDSALL: He looked at it, what he asked to have done was have on the temporary plan have a fire lane created on the, I guess it's the south side of the property, that would be a dead-end fire lane and he asked for the access to be through the gate on the fence on this side. So you have access through the back without going through the main building and then on the permanent site plan, that lane is being permanently constructed so you could get to the back area still even though the trailers would be gone with the exception of the DSS modular building, he was comfortable with that, he was more concerned with reviewing the three story building, so that is one issue that he said he wanted to look into some more.

MR. PETRO: I want to see it when it comes back.

MR. LANDER: Do you plan on paving all this? It's shale now I know.

MR. OLSON: Yeah, it is, well, I guess it would be mostly shale, there is just the area that people drive through the parking area, it's paved right now. We are proposing in the interim to provide paved handicapped parking spaces, as I indicated on this plan, and allow the rest of the parking to be shale as an interim measure and pave it.

MR. LANDER: On the final plan, it's all paved?

MR. OLSON: Correct.

MR. PETRO: Mike, the handicapped spaces have to be within how many feet of the front entrance of the building?

MR. BABCOCK: They recommend 200 feet.

MR. PETRO: So it wouldn't be an issue because I'm concerned with the DSS modular building in the rear

because you're going to be using handicapped spaces in the front, how are they going to get from there to that back building?

MR. BABCOCK: Through the existing building.

MR. PETRO: Onto what looks like grass?

MR. OLSON: This is a concrete area in the rear of the building that connects the asphalt walk to the building that unfortunately is not shown on the drawing. The other measure that we would consider taking is providing a concrete walk to that asphalt from the parking area so that access can be gotten.

MR. PETRO: Turing to page number 2, I think you're going to have demonstrate how you're going to get from the parking space to that building, one way or the other through the building. Fine, you tell me they can get through the entire building with no problem. I'm in a wheelchair, I can go from the parking space through the building, right now, I have to go across a grass lawn and then get into that building. Somehow, you're going to have get a driveway or something of a solid base. They are not going to go across shale or grass, right, that's for sure.

MR. OLSON: What's out there now is actually it's not actually shale back in this area nor is it gravel, it's hard earth.

MR. PETRO: It's going to have to be concrete walk, basically, and you're pointing to the other side, I'm looking at the DSS building here on the opposite side, how are you going to get to there?

MR. OLSON: Through, probably accessibility would be through the play area along the existing.

MR. PETRO: You have to demonstrate a walk and it's going to have would be one inch per ten feet for the grade.

MR. BABCOCK: One for twelve.

MR. OLSON: Yeah, that would be no problem as far as the slope there, it's all absolutely flat.

MR. PETRO: I won't review that as far as the slope goes, but I will tell you the building department when it's installed they are going to look at it so we'll review it as just the flat, you know, no topo.

MR. OLSON: Is the concern that maybe we want to provide handicapped parking spot in the rear so that the accessibility to the DDS is closer?

MR. PETRO: Bring the sidewalk from there over, that is up to you.

MR. LUCAS: Even the door in the back you're going to have to widen the door in the back, but I think he's better off paving, using the parking in the back than paving like you said for DDS.

MR. PETRO: Mark, you disagree with any of that?

MR. EDSALL: The hard part is that I don't believe I know anymore about the building than all you gentlemen cause I have not been there and the plan doesn't give you a lot of the information you need.

MR. PETRO: I think Mike's idea is very good, take one of the spots up front and put it in the rear and let the handicapped from that spot which may be the one next to the dumpster, the furthest one down to bring the walk over to that modular building.

MR. OLSON: Sure.

MR. ARGENIO: As far as the final construction is concerned, DSS modular building, what's that, is that like an office trailer or is it a truly modular structure like constructed like a modular home?

MR. OLSON: That would be--

MR. ARGENIO: Finished out like a modular home?

MR. OLSON: Yeah.

MR. LUCAS: Vails Gate School, the modulars they attached to that?

MR. OLSON: That I'm not familiar with.

MR. ARGENIO: That's why I brought it up from the response I got, it appears to me that you're looking at a finished structure when this thing is done, albeit modular construction, it is a finished building.

MR. LANDER: Bring something in so we can take a look at it, what the outside of the building is going to look like.

MR. PETRO: Number 2, you're stating that the coverage variance maybe necessary even for temporary, also setback variances required for the DSS modular building basically we're looking for referral to the zoning board here also.

MR. EDSALL: You are and one of the problems with the plans is right now is that it mixes temporary and permanent on the bulk table or is missing on the first sheet the bulk requirements for temporary. So before this can go to the ZBA, there's a lot of cleanup that has to happen on the bulk tables and I will just--

MR. PETRO: Also, I'd like to see the handicapped situation straightened out on the plan.

MR. OLSON: Well, with reference to the bulk and the coverage requirements.

MR. EDSALL: Yeah, the fact that something is temporary doesn't mean that it has no bulk requirements. If you look at the code, there is a specific use group for the temporary trailers and there are bulk values that go along with it.

MR. OLSON: Correct, it's indicated on the bottom of the bulk table.

MR. EDSALL: But the values are a long list of values, you only reflect two of those, so what you need do is

put the bulk table on for that use and there's a coverage increase which we know about and it may become necessary to get a variance for the temporary use as well as the permanent use, you have to get the numbers and when we get a complete bulk table.

MR. OLSON: Coverage was not applicable with the temporary structures.

MR. BABCOCK: That is why you need to have it on the plan, so we know what you used is the private school, all right. Then there's another set of bulk tables for the thing, so we need the whole set of them that will determine whether you have the coverage or not.

MR. PETRO: Why is this plan not stamped by a licensed engineer?

MR. OLSON: It was just, I was just noticing that, I didn't realize you needed that.

MR. PETRO: You didn't physically stamp it?

MR. OLSON: Yeah.

MR. EDSALL: There is not a developmental coverage value for the temporary trailers, but there will be the variance needed for the ultimate site plan.

MR. PETRO: We should, let's get the plan cleaned up to what we discussed tonight. We'll see if there's anything else from the board members and then also get the bulk tables done properly and we'll set you up for a referral to the Zoning Board. I can't send you tonight because the plan is not a hundred percent, you know, I'm not sending the plan there that we're actually looking at. Any other comments other than what we have already gone over? We don't need to go over landscaping and everything detailed at this point because he is going to have to come back at the ZBA.

MR. LUCAS: How about are they going to have sewer and water?

MR. OLSON: Yes.

MR. LUCAS: Did you have a new tap into that yet?

MR. OLSON: They are using the existing system.

MR. LUCAS: You may have to.

MR. OLSON: We're in the process of investigating that, we're probably into a new line.

MR. LUCAS: You're going to have to have, because it's not going to supply what you need there.

MR. LANDER: Well, you have existing two story building, is there an elevator in that building?

MR. OLSON: No, there isn't. That would be proposed for the rehabilitation plan to remediate.

MR. STENT: I have no further questions.

MR. PETRO: I think we did cover quite a bit tonight. Get the plan changed, bulk tables corrected, we'll put you on the next agenda. Come in and we'll refer you to the zoning board.

MR. OLSON: Is there going to be any other requirements as far as for the special permit that would be here with the public hearing?

MR. PETRO: We're going to do a public hearing definitely and permit dictates that we have to so we'll all be in one.

MR. OLSON: We'll handle these other comments at the next meeting.

MR. PETRO: Do you have another question, ask it now?

MR. OLSON: No, I'm just wondering as far as what we have covered tonight and if Mr. Edsall has comments.

MR. STENT: I think what he is saying there's some requirements, bulk things that he is talking about when he sits down with Mark, if the bulk requirements are

met, would he still have to go to the zoning board after the next meeting?

MR. PETRO: He's not going to have side yard setback so he has to go for the variance for the one building.

MR. OLSON: No, the side yard is not an issue.

MR. EDSALL: DSS, if it was temporary wouldn't be an issue but as a permanent structure side yard is a hundred feet, you can't take three buildings and call them temporary and say I'm leaving one permanent so it meets the temporary setbacks, the permanent requirement in this zone for the permanent structure to this use is a hundred foot setback from the side and it's proposed 15 now, obviously, it's a much smaller lot but it's one heck of a variance, although 15 is allowed if it's temporary but you're not proposing DSS temporary.

MR. OLSON: Okay, are there provisions with reference to an auxiliary building or auxiliary use?

MR. EDSALL: Accessory building, don't think on this site accessory building something as an office or--

MR. PETRO: I think you really need to sit down with Mark first and really go over his comments and what he has printed and some of the new ones he's come up with, like the building with the setback and you didn't know that you did that, you'll need a variance, so if it turns out that you can work something out, you don't need a variance we're still going to review it so we'll see you next time. Okay?

MR. OLSON: All right.

MR. PETRO: Sidewalk blacktopped?

MR. EDSALL: Yeah, they've got blacktopped.

MR. BABCOCK: You want to put some landscaping on the plan now?

MR. PETRO: Come up with a landscaping, I don't think we should need an actual separate plan, come up with a

page with landscaping.

MR. BABCOCK: I think it's going to benefit you where the one building that is, that is going to stay because it's residential behind you and through a public hearing, people are going to want to know, you know, buffer of some type.

MR. OLSON: Well, the back is pretty wooded.

MR. PETRO: Show it then.

MR. LUCAS: Side isn't screened. Also, in the back, that belongs to that property, people that own it, I don't think you have a lot of screening, you go up on a berm and screening after that.

MR. LANDER: My suggestion we make a site visit.

MR. PETRO: Everybody go there to the site, we have all passed there ten times a week, there's any existing screening or landscaping, show it as existing, show it as proposed, that will help a lot. Thanks.

MR. OLSON: Okay.



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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: ABC LEARNING CENTER SITE PLAN
(TEMPORARY AND PERMANENT)
PROJECT LOCATION: QUASSAICK AVENUE (NYS ROUTE 94)
SECTION 40-BLOCK 3-LOT 37
PROJECT NUMBER: 98-19
DATE: 24 JUNE 1998
DESCRIPTION: THE APPLICATION INVOLVES BOTH AN INTERIM
(TEMPORARY) SITE PLAN APPROVAL WITH MODULAR
CLASSROOMS. IN ADDITION, THE APPLICANT IS
PROVIDING A SITE PLAN FOR THE PROPOSED
PERMANENT IMPROVEMENTS TO THE SITE. THE PLAN
WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The project is located within the Neighborhood Commercial (NC) Zoning District of the Town. The Private School use is the Special Permit Use B-6, and the Temporary Trailer use is Special Permit Use B-4.

The plan provides a complete bulk table for the Private School use and indicates the existing conditions. As can be noted from the table, this site has numerous pre-existing non-conformances. These should be indicated on the bulk table. In addition, dimensions for setbacks of the existing structure should be indicated on the plan. An existing building height must be indicated on the bulk table.

To make the bulk table more usable, the bulk table should provide the required, existing and proposed values for the site. For the temporary site plan, required and proposed values should be indicated for the temporary trailers.

The plan should include a complete parking calculation noting both required parking and proposed (available) parking.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: ABC LEARNING CENTER SITE PLAN
(TEMPORARY AND PERMANENT)
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2. Based on a review of the plan, it would appear that variances would be required for the temporary site plan and permanent site plan. A development coverage variance would appear necessary for the temporary site, with a setback variance required for the "DSS Modular Building" of the permanent site. Additional variances may be identified once a properly completed bulk table is included on the plan.
3. I would recommend that the Planning Board review the temporary and permanent site plans with the Applicant and, following same, make any recommendations and make the referral to the Zoning Board of Appeals for the necessary variances.

Respectfully submitted



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:ABC.mk

2/42/98

98-19

Public Hearing

Anthony Poreasi - 365 Quassaick Ave.

Spoke re: Constant Noise, privacy, Traffic
and buffer zone.

Spoke regarding the height of the
3 & 4 stories.

Board: May require landscape barrier between
properties on "permanent" structures.

Thomas McMan - Cross Street

Spoke re: Space requirement for Children
Impact on Real Estate Values in Area?

Helene Lakey:

Spoke re: Traffic flow -

Board: May consider changing ent. & exit flow

from McMan - Cross Street -

Spoke re: What a 4-story bldg would
look like

RESULTS OF P.B. MEETING OF :

PROJECT:

P.B.#

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y___ N___

M)___ S)___ VOTE: A___ N___

2. TAKE LEAD AGENCY: Y___N___

CARRIED: YES _____ NO _____

M)___S)___ VOTE: A___N___

CARRIED: YES NO

WAIVE PUBLIC HEARING: M)___S)___ VOTE: A___N___ WAIVED: Y___N___

SCHEDULE P.H. Y___ N___

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) 11 VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

[illegible]

RESULTS OF P.B. MEETING OF: July 8, 1998

PROJECT: ABC Learning Center **P.B.#** 98-19

LEAD AGENCY: Temporary Units. Only
(Temp + Perm.)

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y___ N___

M)___ S)___ VOTE: A___ N___

2. **TAKE LEAD AGENCY:** Y ☒ N___

CARRIED: YES___ NO___

M) S S L N VOTE: A 5 N 0

CARRIED: YES ☒ NO___

WAIVE PUBLIC HEARING: M) S S A VOTE: A 5 N 0 WAIVED: Y___ N ☒

SCHEDULE P.H. Y ☒ N___ , To be 7/22/98

SEND TO O.C. PLANNING: Y___

SEND TO DEPT. OF TRANSPORTATION: Y___

REFER TO Z.B.A.: M)___ S)___ VOTE: A___ N___

RETURN TO WORK SHOP: YES___ NO___

APPROVAL:

M)___ S)___ VOTE: A___ N___ APPROVED: _____

M)___ S)___ VOTE: A___ N___ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y___ N___

DISCUSSION/APPROVAL CONDITIONS:

<u>Read the Fire Inspector's review into the minutes</u>
<u>Make separate files for temporary and permanent construction</u>
<u>Waive fees on second file</u>



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

June 30, 1998

Mark Olson
Berg & Associate
P.O. Box
Washingtonville, NY 10992

RE: 40-3-37

Dear Mr. Olson:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's office.

Sincerely

Leslie Cook
Sole Assessor

/cad
Attachments

cc: Myra Mason, PB

55
Envelopes mailed

James A. & Irma L. Minard ✓
283 Quassaick Ave. ✓
New Windsor, NY 12553

Gut Holding Inc. ✓
277 Quassaick Ave. ✓
New Windsor, NY 12553

Vincent & Kary S. Tangredi ✓
273 Quassaick Ave. ✓
New Windsor, NY 12553

Richard J. & Ruth P. Pennisi ✓
265 Quassaick Ave. ✓
New Windsor, NY 12553

Angel N. & Margarita Negrón ✓
263 Quassaick Ave. ✓
New Windsor, NY 12553

Eric & John C. Grzibowski ✓
Life Estate for Eric Grzibowski
261 Quassaick Ave. ✓
New Windsor, NY 12553

Thomas J. & Robyn M. ✓
McGuinness
259 Quassaick Ave. ✓
New Windsor, NY 12553

Anthony J. Billesimo & Kathleen ✓
Hedlund
46 Cross St. ✓
New Windsor, NY 12553

Joseph S. & Helen M. Miller ✓
38 Cross St. ✓
New Windsor, NY 12553

Terry L. Langlois ✓
22 Cross St. ✓
New Windsor, NY 12553

Joseph & Carmela Bordonard ✓
24 Cross St. ✓
New Windsor, NY 12553

Anthony J. & Virginia Martini ✓
26 Cross St. ✓
New Windsor, NY 12553

Michael H. & Barbara M. McNally ✓
8 Lillian Place ✓
New Windsor, NY 12553

Michael A. & Teresa M. Pagano ✓
10 Lillian Place ✓
New Windsor, NY 12553

Salvatore C. & Salvatrice A. ✓
Cocchia ✓
9 Lillian Place
New Windsor, NY 12553

Holger C. & Evelyn M. Holt ✓
32 Cross St. ✓
New Windsor, NY 12553

William & Evelyn S. Lampack ✓
34 Cross St. ✓
New Windsor, NY 12553

George C. & Mildred L. Dittbrenner ✓
36 Cross St. ✓
New Windsor, NY 12553

Joseph S. & Helen M. Miller ✓
PO Box 4036 ✓
New Windsor, NY 12553

Joseph S. & Helen M. Miller ✓
40 Cross St. ✓
New Windsor, NY 12553

Kevin M. & Linda R. McCaffrey ✓
44 Cross St. ✓
New Windsor, NY 12553

Constance L. Hanna ✓
5 Jay St. ✓
New Windsor, NY 12553

Ann M. Couturier ✓
251 Quassaick Ave. ✓
New Windsor, NY 12553

Windshire Village ✓
Management Office
256 Quassaick Ave. ✓
New Windsor, NY 12553

Linda Nilsson Big ✓
279 Quassaick Ave. ✓
New Windsor, NY 12553

Lahey's Midway Market Inc. ✓
264 Quassaick Ave. ✓
New Windsor, NY 12553

Virginia Cimorelli ✓
25 Cross St. ✓
New Windsor, NY 12553

Foxwood Associates ✓
C/o Anthony P. Costa
1200 Stony Brook Court
Newburgh, NY 12550

Brian W. & Madelyn A. Smith ✓
287 Quassaick Ave.
New Windsor, NY 12553

Thomas J. & Joan L. McMahon ✓
31 Cross Street
New Windsor, NY 12553

Thorpe, Grace S. & Gus &
DeToro, Della ✓
260 Quassaick Ave
New Windsor, NY 12553

Maldonado, Hermancio & Zelandia ✓
282 Quassaick Ave.
New Windsor, NY 12553

Angelo & Anna M. Alessi ✓
29 Cross Street
New Windsor, NY 12553

Blank, George D. & Helen P. ✓
33 Echo Lane
Newburgh, NY 12553

Vanakis, John & Anna ✓
284 Quassaick Ave
New Windsor, NY 12553

Edgar P. & Rose Coppola ✓
27 Cross St
New Windsor, NY 12553

Bruno Brothers Automotive,
Technicians Inc. ✓
262 Quassaick Ave.
New Windsor, NY 12553

Mildred Duval ✓
8 Jay Street
New Windsor, NY 12553

Panella Emilio As Trustee ✓
PO Box 573
Vails Gate, NY 12584

James & Angela McQuade ✓
10 Jay Street
New Windsor, NY 12553

John R. & Cabrina Bertero ✓
23 Cross Street
New Windsor,

Fiedelholtz, Jerald & Rachel ✓
59 Beattie Road
Washingtonville, NY 10992

Alberto & Maria Maldonado ✓
14 Jay Street
New Windsor, NY 12553

Michael A. & Paula M. Petryssyn ✓
21 Cross St.
New Windsor, NY 12553

Carpenter, John F. ✓
277 Quassaick Ave
New Windsor, NY 12553

Arthur & Peggy Mervine ✓
39 Cross Street
New Windsor, NY 12553

Poliotti, Angelo & Naomi ✓
276 Quassaick Ave
New Windsor, NY 12553

William & Anna Peri ✓
37 Cross Street
New Windsor, NY 12553

George J. & Julia M. Vecchio ✓
4 Schoonmaker Dr.
New Windsor, NY 12553

Pacione, Anthony ETAL ✓
278 Quassaick Ave
New Windsor, NY 12553

Jesus M. & Josefa Hernandez ✓
35 Cross Street
New Windsor, NY 12553

Patrick J. & Gloria M. Diamonti ✓
6 Schoonmaker Dr.
New Windsor, NY 12553

Terrasi, Alfonso & Rita Marie ✓
280 Quassaick Ave
New Windsor, NY 12553

Marie Davis ✓
33 Cross St
New Windsor, NY 12553

US Dept. of Housing & Urban ✓
Development
26 Federal Plaza
New York, NY 10278

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on

22 July 1998 @ 7:30 P.M.

on the approval of the proposed Site Plan Amendment to the Site Plan of:

The ABC Learning Center Located @ 271 Quassaick Ave. (Section: 40 Block: 3 Lot: 37)

Map of the Site Plan is on file and may be inspected at the Planning Office Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 2 JULY 1998

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.
Chairman

NOTES TO APPLICANT

- 1). *Select Applicable Item
- 2). A completed copy of this Notice Must be approved Prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

RESULTS OF P.B. MEETING OF : June 24, 1998

PROJECT: ABC Learning Center

P.B.# 98-19

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

WAIVE PUBLIC HEARING: M)__ S)__ VOTE: A__ N__ WAIVED: Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES ☒ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

Want to know what the outside of Bldg will
look like
Need Built tables & handicap walk corrected
before referral.
Landscaping
Need special Permit

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on 22 July 19998 at 7:30 P.M. on the approval of the proposed Site Plan Amendment (~~Subdivision of Lands~~)* (Site Plan)* OF ABC LEARNING CENTER located 271 QUASSACK AVE S. 40-B-3-L37 Map of the (~~Subdivision of Lands~~)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 1 July 98

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 19
DATE PLAN RECEIVED: RECEIVED JUL 2 1998

RECEIVED

JUL 16 1998

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval ✓
Subdivision _____ as submitted by _____
_____ for the building or subdivision of _____
_____ has been
reviewed by me and is approved ✓,
disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 7/2/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: July 7, 1998

SUBJECT: ABC Learning Center Site Plan

Planning Board Reference Number: PB-98-19

Dated: 2 July 1998

Fire Prevention Reference Number: FPS-98-034

A review of the above referenced subject site plan was conducted on 6 July 1998, with the following being noted.

- 1) The proposed intermediate plan for the use of the three (3) temporary modular classrooms is acceptable.
- 2) Further discussions with the Architect / Engineer will be needed for the addition of a third and fourth story. It is the opinion of this office that the building is type 5 (wood frame) construction. As such, a third or fourth story cannot be added and is not permitted by code. For a C6.2 occupancy the building construction would have to be upgraded to a 2A non-combustible structure. This would allow for a four-story structure with the maximum fire area of 8,000 square feet.



Robert F. Rodgers; C.C.A.
Fire Inspector

CC: ME
M.O.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 19

DATE PLAN RECEIVED: RECEIVED JUL 2 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

ABC Learning Center has been

reviewed by me and is approved ☒

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

No problem - Property is fed from
town water - Any changes in service -
notify water dept. First.

HIGHWAY SUPERINTENDENT _____ DATE _____

Steven D. Do - 7-6-98
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 19

DATE PLAN RECEIVED: RECEIVED JUN 19 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

GBC Learning Center has been

reviewed by me and is approved ☒

disapproved ☐.

If disapproved, please list reason _____

Notify water dept. if any interference
with water service

HIGHWAY SUPERINTENDENT _____ DATE _____

Steve J. J. J. 6-22-98
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: June 23, 1998

SUBJECT: ABC Learning Center

Planning Board Reference Number: PB-98-19

Dated: 19 June 1998

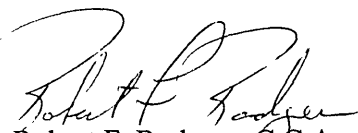
Fire Prevention Reference Number: FPS-98-029

A review of the above referenced site plan was conducted on 22 June 1998, with the following being noted:

- 1) The plan is not stamped by the licensed engineer or professional land surveyor.

This plan is rejected.

Plans Dated: 13 April 1998.


Robert F. Rodgers; C.C.A.
Fire Inspector



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 19

DATE PLAN RECEIVED: RECEIVED JUN 19 1998

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

_____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason RECEIVED

JUN 22 1998

N.W. HIGHWAY DEPT.

W. James Cella 6/22/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

ABC LEARNING

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

(TOWN/VILLAGE OF NEW WINDSOR) P/B # 98-19
WORK SESSION DATE: 17 JUNE 98 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: later REQUIRED: Full App
PROJECT NAME: ABC Learning
PROJECT STATUS: NEW x OLD _____
REPRESENTATIVE PRESENT: Mark Olsen
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Need variance for avg (↑ non-conf)
spec print trailers

- need landscaping etc for perm plan.
- temp shale for temp trailers (not perm)
- print details perm.
- NO topo.
- Show enter access in on final %
- show gates to fence (both plans)
- access to DSS bldg (gates walks etc)
- Both says for State Code prob by 3 story

4MJE91 pbwsform

Licensed in New York, New Jersey and Pennsylvania

- Parking calc both plane. 1/12 JK

DSS
A



98 - 19

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☐ Lot Line Change ☐ Site Plan ☒ Special Permit ☒

Tax Map Designation: Sec.: 40 Block: 3 Lot: 37

1. Name of Project: Addition and Alterations to ABC Learning Center

2. Owner of Record: Heads, Hands, Hearts, Inc.

Phone: 914-562-3711

Address: 271 Quassaick Avenue, New Windsor, New York 12553

(Street Name & Number) (Post Office) (State)

(zip)

3. Name of Applicant: Mark S. Olson, Sen. Assoc., Berg and Associates

Phone: 914-496-9125

Address: PO Box 499, Washingtonville, NY 10992

(Street Name & Number) (Post Office) (State)

(zip)

4. Person Preparing Plan: Mark S Olson, Sen. Assoc.

Phone: 914-496-9125

Address: Same as Applicant

(Street Name & Number) (Post Office) (State)

(zip)

5. Attorney: Owners Attorney if any

Phone: N/A

Address: N/A

(Street Name & Number) (Post Office)

(State)

(zip)

6. Person to be notified to appear at Planning Board meeting:

Same as Applicant

(Name)

Same as Applicant

(Phone)

7. Project Location: (Enter exact location as follows)

On the North East side of Quassaick Ave

(Direction)

(Street)

450feet

(No.)

South of Jay Street

(Direction)

(Street)

8. Project Data: Acreage: 1.148 Acres

Zone NC

School Dist.: Designation

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? ☐ Yes ☒ No

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.)

11. Has the Zoning Board of Appeals Granted any Variances for this property? ☐ Yes ☒ No

12. Has a Special Permit previously been granted for this property? ☐ Yes ☒ No

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION. STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

18th DAY OF June 1998


APPLICANT'S SIGNATURE


NOTARY PUBLIC

BARBARA M. BASILE
Notary Public, State of New York
No. 4681425
Qualified in Orange County
Commission Expires 12-31-98

Mark S Olson

Please Print Applicant's Name as Signed

TOWN USE ONLY:

RECEIVED JUN 19 1998
DATE APPLICATION RECEIVED

98 - 19
APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

98 - 19

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Heads, Hands, Hearts, Inc. deposes and says that he resides
(OWNER)

at 271 Quassaick Ave, New Windsor in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 40 Block 3 Lot 37)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

BERCA & Assoc., PO Box 499 Washingtonville N.Y.
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: June 18, 1998

Ch. L. B. J.
Witness' Signature

Karen R. Bowles
Owner's Signature Karen R. Bowles - Secretary.

Mark Olson
Applicant's Signature if different than owner

MARK OLSON - SA
Representative's Signature BERCA & Assoc.

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

*TOWN OF NEW WINDSOR PLANNING BOARD**SITE PLAN CHECKLIST*ITEM

1. ☒ Site Plan Title
2. ☒ Applicant's Name(s)
3. ☒ Applicant's Address
4. ☒ Site Plan Preparer's Name
5. ☒ Site Plan Preparer's Address
6. ☒ Drawing Date
7. ☒ Revision Dates
8. ☒ Area Map Inset
9. ☒ Site Designation
10. ☒ Properties within 500' of site
11. ☐ Property Owners (Item #10)
12. ☒ Plot Plan
13. ☒ Scale (1" = 50' or lesser)
14. ☒ Metes and Bounds
15. ☒ Zoning Designation
16. ☒ North Arrow
17. ☒ Abutting Property Owners
18. ☒ Existing Building Locations
19. ☒ Existing Paved Areas
20. ☒ Existing Vegetation
21. ☒ Existing Access & Egress

PROPOSED IMPROVEMENTS

- 22. N/A Landscaping
- 23. ✓ Exterior Lighting
- 24. ✓ Screening
- 25. ✓ Access & Egress
- 26. ✓ Parking Areas
- 27. N/A Loading Areas
- 28. ✓ Paving Details (Items 25 - 27)
- 29. N/A Curbing Locations
- 30. N/A Curbing through section
- 31. N/A Catch Basin Locations
- 32. N/A Catch Basin Through Section
- 33. ✓ Storm Drainage
- 34. ✓ Refuse Storage
- 35. N/A Other Outdoor Storage
- 36. Water Supply
- 37. Sanitary Disposal System
- 38. N/A Fire Hydrants
- 39. ✓ Building Locations
- 40. ✓ Building Setbacks
- 41. Front Building Elevations
- 42. N/A Divisions of Occupancy
- 43. N/A Sign Details
- 44. ✓ Bulk Table Inset
- 45. ✓ Property Area (Nearest 100 sq. ft.)
- 46. ✓ Building Coverage (sq. ft.)
- 47. ✓ Building Coverage (% of total area)
- 48. ✓ Pavement Coverage (sq. ft.)
- 49. ✓ Pavement Coverage (% of total area)
- 50. ✓ Open Space (sq. ft.)
- 51. ✓ Open Space (% of total area)
- 52. ✓ No. of parking spaces proposed
- 53. ✓ No. of parking spaces required

REFERRING TO QUESTION 9 ON THE APPLICATION FORM: "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. _____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

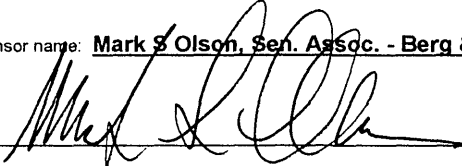
BY: _____
Licensed Professional Date

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I-PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR: Berg & Associates		2. PROJECT NAME: ABC Learning Center - Addition	
3. PROJECT LOCATION: Municipality New Windsor		County: Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map): 271 Quassaick Ave - Section 40, Blk 3, Lot 37			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: Project shall be two phase, the first which shall consist of the installation of temporary modular classrooms and the second which shall be the constrution of the permanant addition to thee school.			
7. AMOUNT OF LAND AFFECTED: Initially 1.14 acres Ultimately 1.14 acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly: Bulk non-compliance			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals: ZBA			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval:			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMITIAPPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: Mark S Olson, Sen. Assoc. - Berg & Associates		Date: 29 May 1998	
Signature: 			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☒ No

B WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another Involved agency

☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, If legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly

No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

No

C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:

No

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☒ No If Yes, explain briefly:

PART III- DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date